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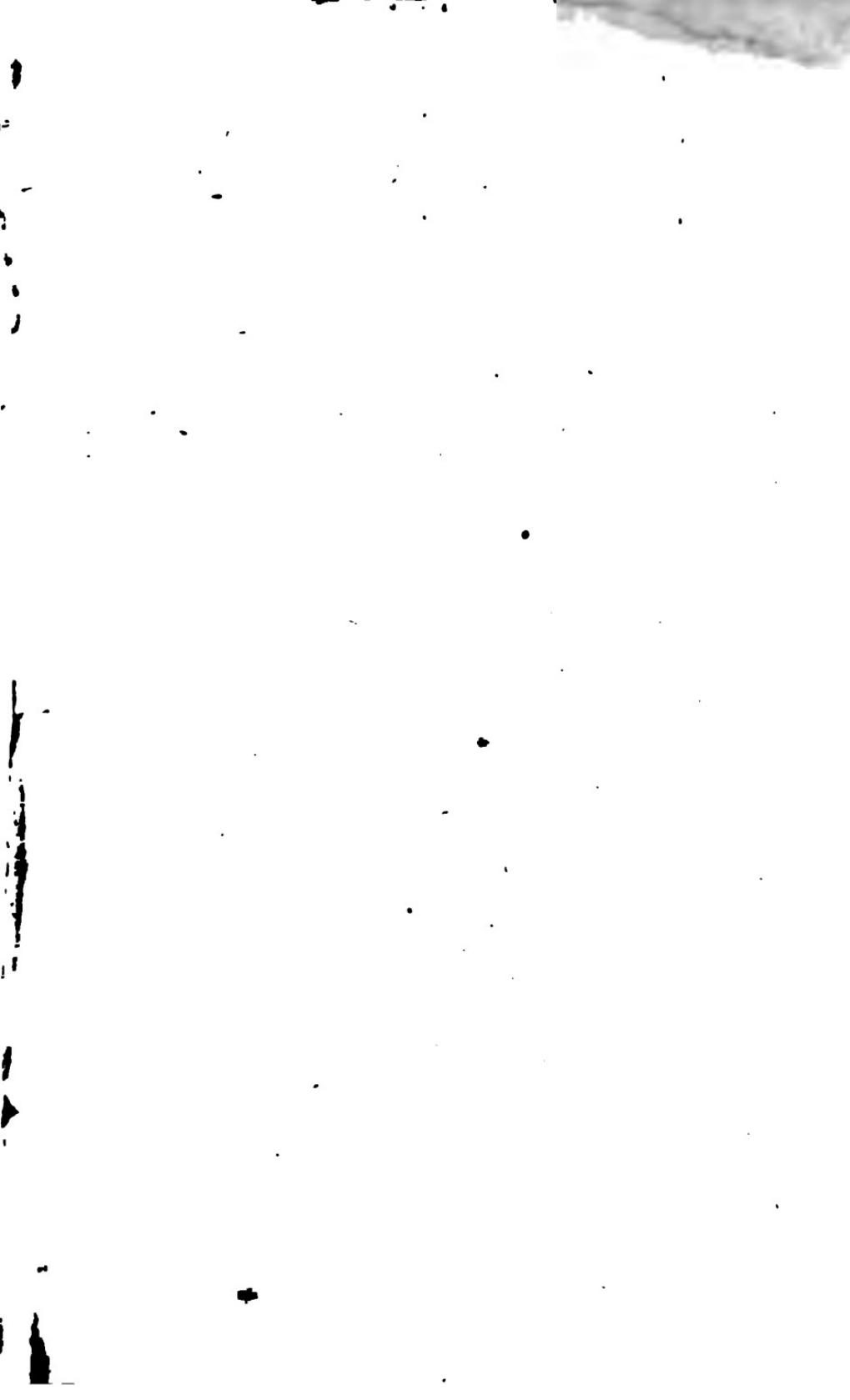
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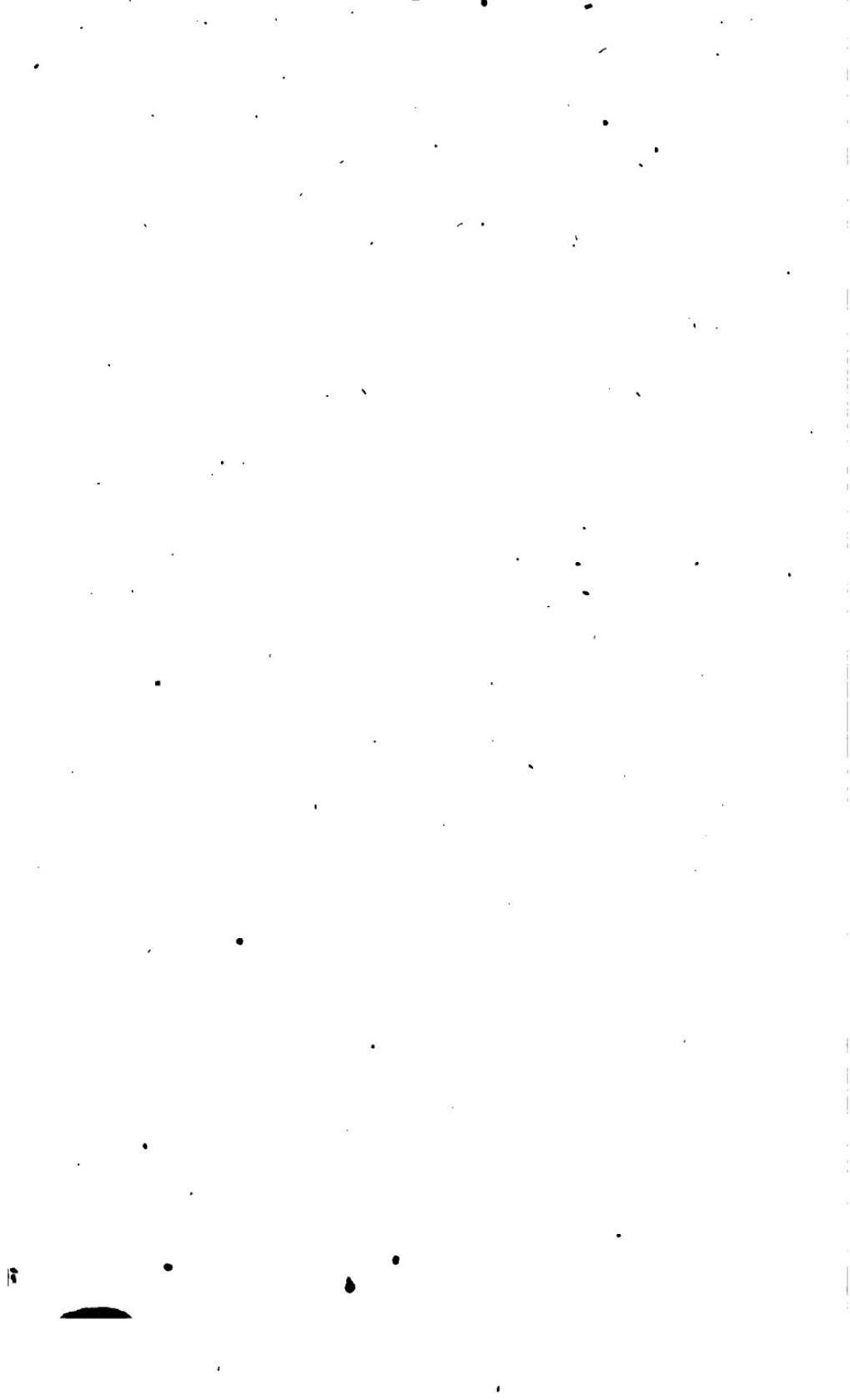
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T H E
Statutes at Large,

Anno tricesimo septimo GEORGII III. Regis:

Being the FIRST Session of the
Eighteenth Parliament of GREAT BRITAIN.

VOL. XLI. PART I.



THE
Statutes at Large,

FROM
M A G N A C H A R T A

To the END of the

Eleventh Parliament of GREAT BRITAIN,

Anno 1761.

C O N T I N U E D.

By DANBY PICKERING, of Gray's-Inn, Esq.
Reader of the Law Lecture to that Honourable Society.

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T A B L E

O F T H E

S T A T U T E S

P U B L I C K and P R I V A T E,

Passed *Anno tricesimo septimo*

G E O R G I I III. *Regis:*

Being the First Session of the Eighteenth Parliament
of *Great Britain*.

P U B L I C K A C T S.

Cap. 1. **F**OR continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and ninety-seven.

Cap. 2. For granting an aid to his Majesty by a land tax, to be raised in *Great Britain*, for the service of the year one thousand seven hundred and ninety-seven.

Cap. 3. For providing an augmentation to the militia to be trained and exercised in the manner therein directed; and for enabling his Majesty to cause the same to be embodied, in case of necessity, for the defence of these kingdoms.

Cap. 4. For raising a certain number of men, in the several counties in *England* for the service of his Majesty's army and navy.

Cap. 5. For raising a certain number of men in the several counties, stewartries, royal burghs, and towns, in that part of *Great Britain* called *Scotland*, for the service of his Majesty's army and navy.

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Cap. 6. For enabling his Majesty to raise a provisional force of cavalry, to be embodied, in case of necessity, for the defence of these kingdoms.

Cap. 7. To continue for a limited time, and amend an act made in the last session of parliament, intituled, *An act to prohibit the exportation of corn, meal, flour, and potatoes, and to permit the importation of corn and other articles of provision, for a limited time, in any ships whatever, without payment of duty*; and for permitting wheat, wheat flour, and meal, imported in order to obtain the bounties granted by an act of the last session of parliament, but which have not been found fit for making bread, to be used in the manufacture of starch, hair powder, and blue, or in the distillation of low wines and spirits.

Cap. 8. To continue for a limited time an act made in the thirty-fifth year of the reign of his present Majesty, for permitting the importation of organized thrown silk, flax, and flax seed, into this kingdom, in ships or vessels belonging to any kingdom or state in amity with his Majesty.

Cap. 9. For granting annuities to satisfy certain navy, victualling, transport, and exchequer bills.

Cap. 10. For raising the sum of eighteen millions by way of annuities.

Cap. 11. To indemnify such persons as have omitted to qualify themselves for offices and employments, and to indemnify justices of the peace, or others, who have omitted to register or deliver in their qualifications within the time limited by law, and for giving further time for those purposes; and to indemnify members and officers, in cities, corporations, and borough towns, whose admissions have been omitted to be stamped according to law, or having been stamped, have been lost or mislaid, and for allowing them time to provide admissions duly stamped; to give further time to such persons as have omitted to make and file affidavits of the execution of indentures of clerks to attorneys and solicitors; and for indemnifying deputy lieutenants and officers of the militia, who have neglected to transmit descriptions of their qualifications to the clerks of the peace within the time limited by law, and for allowing further time for that purpose.

Cap. 12. To continue several acts, made in the thirty-fifth and thirty-sixth years of his present Majesty's reign, respecting the admission of certain articles of merchandize in neutral ships, and the issuing of orders in council for that purpose, for a limited time.

Cap. 13. To enable the company of proprietors of the Dudley canal navigation, to raise a further sum of money for completing the said navigation; and for amending the several acts relating thereto.

Cap. 14. For granting to his Majesty additional duties of excise on auctions, bricks, cocoa nuts, British and foreign spirits, and tea.

Cap. 15. For granting to his Majesty, certain duties of customs,

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on goods, wares, and merchandize, imported into, exported from, or brought and carried coastwise within *Great Britain*, except wine and except coals, when brought or carried coastwise; and for applying the money to arise by virtue of an act, passed in the last session of parliament, intituled, *An act for reduction of the drawbacks and bounties now allowed on the exportation of sugar*; towards defraying the increased charge occasioned by any loan granted, or stock created, by any act or acts passed in the last session of parliament.

Cap. 16. For granting to his Majesty an additional duty on stage coaches.

Cap. 17. For granting to his Majesty certain additional duties on distilleries in *Scotland*, and on the exportation of *British*-made spirits from *England* to *Scotland*, and from *Scotland* to *England*.

Cap. 18. For altering certain rates of postage for conveyance of letters in *England* and *Scotland* respectively, and of packets to and from *Great Britain*, from and to *Portugal* and the *British* colonies in *America* respectively; and for setting apart at the receipt of the exchequer, for a certain period, out of the revenues of the post office, the annual sum of forty thousand pounds, towards defraying the increased charge occasioned by any loan raised, or stock created, by any act or acts passed in the thirty-fifth year of the reign of his present Majesty.

Cap. 19. For the more effectually securing the stamp duties on indentures, leases, bonds, and other deeds.

Cap. 20. For extending the time limited by an act of this session for delivering in navy, victualling, transport and exchequer bills.

Cap. 21. Authorising his Majesty, for a limited time, to make regulations respecting the trade and commerce to and from the *Cape of Good Hope*.

Cap. 22. To explain and amend an act, made in this present session of parliament, intituled, *An act for providing an augmentation to the militia, to be trained and exercised in the manner therein directed, and for enabling his Majesty to cause the same to be embodied, in case of necessity, for the defence of these kingdoms*.

Cap. 23. To explain and amend an act, made in this present session of parliament, intituled, *An act for enabling his Majesty to raise a provisional force of cavalry, to be embodied, in case of necessity, for the defence of these kingdoms*.

Cap. 24. To explain and amend an act, made in this present session of parliament, intituled, *An act for raising a certain number of men in the several counties in England, for the service of his Majesty's army and navy*.

Cap. 25. For the better raising and ordering the militia forces of the *Tower Hamlets*, in the county of *Middlesex*.

Cap. 26. To provide for the more speedy payment of all navy, victualling, and transport bills, that shall be issued in future.

Cap. 27. For allowing further time for the payment of instalments to become due on certain sums advanced by way of loan, pursuant to an act of the thirty-fifth year of the reign of his

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present Majesty, intituled, *An act for enabling his Majesty to direct the issue of exchequer bills to a limited amount, for the purposes, and in the manner therein mentioned; and for granting further relief to persons connected with and trading to the islands of Grenada and Saint Vincent.*

Cap. 28. To remove doubts respecting promissory notes of the governor and company of the bank of *England* for payment of sums of money under five pounds.

Cap. 29. For making and maintaining a navigable canal from *Guthea Port*, in the parish of *Saint Breock*, in the county of *Cornwall*, to *Dunmeer Bridge*, in the parish of *Bodmin*, in the said county; and also a certain collateral cut from *Cotton Wood*, to or near to *Ruthern Bridge*, in the said parish of *Bodmin*.

Cap. 30. For enabling the company of proprietors of the *Grantham* canal navigation, to finish and complete the same, and the collateral cut to communicate therewith; and for amending the act of parliament, passed in the thirty-third year of the reign of his present Majesty, for making and maintaining the said canal and collateral cut.

Cap. 31. To enable the *East India* company to raise money by further increasing their capital stock, and to extend the provisions now existing, respecting the present stock of the company to the said increased stock.

Cap. 32. To suspend for a limited time, the operation of two acts of the fifteenth and seventeenth years of the reign of his present Majesty, *for restraining the negociation of promissory notes and inland bills of exchange, under a limited sum, within that part of Great Britain called England.*

Cap. 33. For punishing mutiny and desertion; and for the better payment of the army and their quarters.

Cap. 34. For the regulation of his Majesty's marine forces while on shore.

Cap. 35. For appointing commissioners for putting in execution an act of this session of parliament, intituled, *An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and ninety-seven.*

Cap. 36. To enable the company of proprietors of the navigation from the *Trent* to the *Mersey*, to make a navigable canal from and out of a certain branch of their said navigation, called *The Caledon Canal*, at or near *Endon*, to or near the town of *Leek*, in the county of *Stafford*; and also a reservoir for supplying the several canals of the said company with water.

Cap. 37. To continue the laws now in force for regulating the trade between the subjects of his Majesty's dominions and the inhabitants of the territories belonging to the united states of *America*, so far as the same relate to the trade and commerce carried on between this kingdom and the inhabitants of the countries belonging to the said united states.

Cap. 38. For defraying the charge of the pay and cloathing

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ing of the militia, in that part of Great Britain called *England*, for the year one thousand seven hundred and ninety-seven.

Cap. 39. To explain and amend an act, made in this present session of parliament, intituled, *An act for raising a certain number of men in the several counties, stewartries, royal burghs, and towns, in that part of Great Britain called Scotland, for the service of his Majesty's army and navy.*

Cap. 40. To allow the banks, and certain banking companies in that part of Great Britain called *Scotland*, to issue notes for sums under a certain amount, for a limited time; and for indemnifying all persons who have issued notes for small sums of money in that part of the united kingdom.

Cap. 41. For increasing the rates of subsistence to be paid to innkeepers and others on quartering soldiers.

Cap. 42. For altering and amending an act, passed in the eighteenth year of the reign of his present Majesty, intituled, *An act for paving, cleansing, lighting, and watching, the town of Northampton, and for removing and preventing encroachments, obstructions and annoyances therein; and for continuing the term of certain tolls by the said act granted.*

Cap. 43. For building a new chapel at *Plymouth Dock*, in the parish of *Stoke Damarel*, in the county of *Devon*.

Cap. 44. For amending and rendering more effectual an act passed in the thirty-third year of the reign of his present Majesty, for paving, lighting, cleansing, and otherwise improving the town of *Ipswich*, in the county of *Suffolk*, and for removing and preventing encroachments, obstructions, and annoyances therein.

Cap. 45. For confirming and continuing, for a limited time, the restriction contained in the minute of council of the twenty-sixth of *February* one thousand seven hundred and ninety-seven, on payment of cash by the bank.

Cap. 46. For making certain annuities, created by the parliament of the kingdom of *Ireland*, transferrable, and the dividends thereon payable at the bank of *England*; and for the better security of the proprietors of such annuities, and of the governor and company of the bank of *England*.

Cap. 47. For discharging the estates of *John Yeldham* esquire, from certain demands of the crown, upon the conditions therein mentioned.

Cap. 48. For altering, amending, and rendering more effectual two acts, made in the eleventh and fifteenth years of the reign of his present Majesty, for the regulation and improvement of the fisheries in the river *Tweed*, and the rivers and streams running into the same, and also within the mouth or entrance of the said river.

Cap. 49. For repairing, improving, and maintaining the harbour of *Eyemouth* in the county of *Berwick*.

Cap. 50. For repairing, deepening, enlarging, and preserving, the harbour of *Barmouth* in the county of *Merioneth*.

Cap. 51. For enabling the company of proprietors of the

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Leicester navigation to finish and complete their several works, and to discharge the debts contracted in the making thereof; and for amending an act passed in the thirty-first year of the reign of his present Majesty, for making the said navigation, and several other works in such act mentioned.

Cap. 52. For regulating and converting the statute labour in the county of *Fife*; and for more effectually making and repairing the highways within the said county.

Cap. 53. For carrying into execution his Majesty's order in council of the third day of *May* one thousand seven hundred and ninety-seven, for an increase of pay and provisions to the seamen and marines serving in his Majesty's navy; and to amend so much of an act, made in the thirty-fifth year of the reign of his present Majesty, as enables petty officers and seamen, non-commissioned officers of marines, and marines, to allot part of their pay for the maintenance of their wives, children, or mothers.

Cap. 54. For authorising the company of proprietors of the *Gloucester* and *Berkeley* canal navigation to vary the line of a certain part of the said canal, so as to render the execution thereof more easy, expeditious, and less expensive; and for altering and amending the act, passed in the thirty-third year of the reign of his present Majesty, for making the said canal.

Cap. 55. For taking down and rebuilding the parish church of *Milbrook* in the county of *Southampton*, and for enlarging the church yard of the said parish.

Cap. 56. To amend an act made in the twentieth year of the reign of his present Majesty, for building a bridge across the river *Wye*, between *Whitney* and *Clifford* in the county of *Hereford*.

Cap. 57. For raising the sum of fourteen millions five hundred thousand pounds by way of annuities.

Cap. 58. For repairing or rebuilding the bridge over the river *Severn*, in the town of *Bridgnorth*, in the county of *Salop*, and for opening convenient avenues thereto.

Cap. 59. For guaranteeing the payment of the dividends on a loan of one million six hundred and twenty thousand pounds to the emperor of *Germany*, and the regular redemption of the capital to be created thereby; for enabling the governor and company of the bank of *England* to retain the sums granted for repaying advances made by them for the publick service; and for repaying to the contributors to the loans of fourteen millions five hundred thousand pounds, and one million six hundred and twenty thousand pounds, the excess of their deposits beyond the proportional deposits to the said loans.

Cap. 60. To amend an act made in the thirty-fourth year of the reign of his present Majesty intituled, *An act for granting to his Majesty certain stamp duties on indentures of clerkships to solicitors and attorneyes in any of the courts in England therein mentioned*.

Cap. 61. To revive, amend, and continue for a limited time, an act passed in the present session of parliament, intituled,

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An act to suspend, for a limited time, the operation of two acts of the fifteenth and seventeenth years of the reign of his present Majesty, for restraining the negotiation of promissory notes and inland bills of exchange, under a limited sum, within that part of Great Britain called England.

Cap. 62. To revive and continue, for a limited time, and amend an act, passed in the present session of parliament, intituled, *An act to allow the banks and certain banking companies, in that part of Great Britain called Scotland, to issue notes for sums under a certain amount, for a limited time; and for indemnifying all persons who have issued notes for small sums of money in that part of the united kingdom.*

Cap. 63. For granting to foreign ships put under his Majesty's protection, the privileges of prize ships, under certain regulations and restrictions; and for allowing aliens in foreign colonies surrendered to his Majesty, to exercise the occupation of merchants or factors.

Cap. 64. For indemnifying governors, lieutenant governors, and persons acting as such, in the *West India* islands, who have permitted the importation and exportation of goods and commodities in foreign bottoms.

Cap. 65. For empowering the justices of the peace for the county of *Middlesex*, at their general or quarter sessions of the peace, to make a fair and equal county rate for the said county.

Cap. 66. For revesting certain lands, tenements, and hereditaments, in the county of *Kent*, in the former proprietors thereof, and for other purposes therein mentioned.

Cap. 67. To embank and drain the open and unembanked lands and grounds lying between *The Dales Head Dyke* and the river *Witham*, in the several townships or hamlets and parishes of *Walcot, Timberland-Thorpe, Timberland, Martin, Linwood, and Blankney*, all in the county of *Lincoln*.

Cap. 68. For charging the fen lands and low grounds within the second, third, fourth, and fifth districts, in the bounds and precincts of *Whittlesey*, in the *Isle of Ely*, and county of *Cambridge*, with further taxes, for discharging the debts incurred by the commissioners for the said districts respectively, under certain acts passed in the twenty-second year of King *George the Second*, and in the twelfth year of his present Majesty; and for better improving, supporting, and preserving, the drainage of the said lands and grounds.

Cap. 69. For granting to his Majesty additional duties on the amount of certain duties under the management of the commissioners for the affairs of taxes.

Cap. 70. For the better prevention and punishment of attempts to seduce persons serving in his Majesty's forces by sea or land, from their duty and allegiance to his Majesty, or to incite them to mutiny or disobedience.

Cap. 71. For more effectually restraining intercourse with the crews of certain of his Majesty's ships now in a state of mutiny and rebellion, and for the more effectual suppression of such mutiny and rebellion.

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Cap. 72. For prohibiting the importation of cambricks and French lawns into this kingdom, not being of the manufacture of Ireland, except for the purpose of being warehoused for exportation.

Cap. 73. For preventing the desertion of seamen from British merchant ships trading to his Majesty's colonies and plantations in the West Indies.

Cap. 74. To enable the East India company to pay the expences of two regiments of infantry to be raised for the defence and protection of the house and warehouses of the said company, and for such publick services as are mentioned in an act, made in the thirty-fourth year of the reign of his present Majesty, intituled, *An act for encouraging and disciplining such corps or companies of men as shall voluntarily enroll themselves for the defence of their counties, towns, or coasts, or for the general defence of the kingdom during the present war.*

Cap. 75. To enable his Majesty to draw out and embody the militia forces of the Tower Hamlets in the county of Middlesex.

Cap. 76. For disallowing the bounty on the exportation to Ireland of sail cloth or canvas of the manufacture of Great Britain, for a limited time.

Cap. 77. For making the port of San Josef, in the island of Trinidad, a free port.

Cap. 78. For the better regulation and encouragement of pilots for the conducting of ships and vessels into and out of the port of Liverpool.

Cap. 79. To amend and render more effectual an act, passed in the twenty-sixth year of the reign of his late majesty King George the Second, intituled, *An act more effectually to enable the parishioners of the parish of Christ Church, in the county of Middlesex, to purchase, hire, or erect a workhouse for the employing and maintaining the poor of the said parish, and for the more effectual support and employment of the poor therein*; and also an act, passed in the eighteenth year of his present Majesty's reign, for amending the said first mentioned act; and for enlarging the powers of the said acts, and altering the manner of rating to the poor of the said parish, and better effectuating other regulations relative thereto.

Cap. 80. For paving, cleansing, lighting, watching, and otherwise improving, all such streets and other publick passages, as are or shall be made upon a certain piece of ground, belonging to Elizabeth Doughty spinster, situate in the parish of Saint Pancras, in the county of Middlesex.

Cap. 81. To enable the company of proprietors of the navigation from the Trent to the Mersey, to extend several branches of canal from and out of their said navigation.

Cap. 82. For allowing certain discounts, to the contributors of eighteen millions raised by annuities by an act of the present session of parliament, who shall have completed their contributions on or before the days therein mentioned.

Cap. 83. To repeal so much of an act passed in the present session

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Session of parliament, as prohibits the exportation and permits the importation duty free, of several sorts of corn, and other articles made thereof.

Cap. 84. To permit goods the product or manufacture of certain places within the *Levant* or *Mediterranean Seas*, to be imported into *Great Britain*, in British or foreign vessels, from any place whatsoever, for a limited time.

Cap. 85. To amend so much of an act made in the thirty-second year of the reign of King George the Second, intituled, *An act for the relief of debtors, with respect to the imprisonment of their persons; and to oblige debtors, who shall continue in execution in prison beyond a certain time, and for sums not exceeding what are mentioned in the act, to make discovery of, and deliver upon oath, their estates for their creditors benefit, as relates to the weekly sums thereby directed to be paid to prisoners in execution for debt, in the cases therein mentioned.*

Cap. 86. For amending an act, passed in the thirty-second year of the reign of his present Majesty, intituled, *An act for the maintenance and improvement of the harbour of Ramsgate, in the county of Kent; and for cleansing, amending, and preserving, the haven of Sandwich, in the same county.*

Cap. 87. For paving, lighting, watching, cleansing, watering, improving, and keeping in repair, *Great Tower Hill*; and for removing and preventing nuisances and annoyances within the same.

Cap. 88. To alter, amend, and render more effectual, an act made in the fourteenth year of the reign of his late majesty King George the Second, intituled, *An act for the effectual draining and preservation of Waterbeach Level, in the county of Cambridge, and to establish an agreement made between the lord of the manor of Waterbeach cum Denny, and the commoners within the said manor; and also to raise a further sum of money for the improvement and security of the said level.*

Cap. 89. To amend and render more effectual an act, made in the thirty-third year of his late majesty King George the Second, intituled, *An act for draining and preserving certain fen lands and low grounds in the Isle of Ely and counties of Suffolk and Norfolk, between Mildenhall River south, Plant Load and Brandon River north, bounded on the west by the river Ouse, and on the east by Winter Load, Earwell Brook, and the hard lands of Mildenhall; and for empowering the governor, bailiffs, and commonalty of the company of conservators of the great level of the fens, commonly called Beford Level, to sell certain fen lands, lying within the limits aforesaid, commonly called Invested Lands, so far as relates to the several fen lands and low grounds lying in the first district described in the said act; and also, to amend and render more effectual an act passed in the thirteenth year of the reign of his present Majesty, for amending and rendering more effectual the said first recited act.*

Cap. 90. For granting to his Majesty certain stamp duties on the several matters therein mentioned, and for better securing the

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the duties on certificates to be taken out by solicitors, attorneys, and others, practising in certain courts of justice in Great Britain.

Cap. 91. To continue, for a limited time, an act, made in this present session of parliament, intituled, *An act for confirming and continuing, for a limited time, the restriction contained in the minute of council of the twenty-sixth day of February one thousand seven hundred and ninety-seven, on payments of cash by the bank, under certain regulations and restrictions.*

Cap. 92. To continue for a limited time, an act, made in the thirty-third year of his present Majesty's reign, intituled, *An act for establishing regulations respecting aliens arriving in this kingdom or resident therein, in certain cases.*

Cap. 93. To indemnify such persons who have committed to obtain their certificates of enrolment, admission, or registry, in the several courts of this kingdom.

Cap. 94. To continue an act, made in the thirty-first year of the reign of his present Majesty, intituled, *An act for the encouragement of the pilchard fishery, by allowing a further bounty upon pilchards taken, cured, and exported.*

Cap. 95. To amend two acts, made in the fourth year of the reign of Queen Anne, and the first year of the reign of King George the First, for the preservation of salmon and other fish in the rivers within the counties of Southampton and Wilts.

Cap. 96. For amending and rendering more effectual an act, passed in the thirteenth year of his late majesty, King George the First, intituled, *An act for the effectual draining and preservation of Haddenham Level in the Isle of Ely; and for more effectually draining and preserving the fen lands and low grounds lying within the said level.*

Cap. 97. For carrying into execution the treaty of amity, commerce, and navigation, concluded between his Majesty and the united states of America.

Cap. 98. To amend and render more effectual an act, made in the thirty-first year of the reign of his late majesty King George the Second, intituled, *An act for the due making of bread, and to regulate the price and assize thereof, and to punish persons who shall adulterate meal, flour, or bread, so far as the same relates to the assize and making of bread to be sold in the city of London, and the liberties thereof, and within the weekly bills of mortality, and within ten miles of the Royal Exchange.*

Cap. 99. To revive and continue the bounties granted by an act, made in the twenty-sixth year of the reign of his present Majesty, for encouraging the fisheries carried on at Newfoundland and parts adjacent, from Great Britain, Ireland, and the British dominions in Europe; to continue so much of an act, made in the thirty-third year of the reign of his present Majesty, as permits the importation and exportation of certain goods, wares, and merchandizes, in foreign ships, into and from the port of Saint John's in the island of Antigua; and so much of an act, made in the thirty-third year of the reign of his present Majesty, as permits Sir William Bishop, George Bishop, and Argles Bishop,

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Bishop, to carry on the manufacture of *Maidstone* geneva; and also so much of an act made in the thirty-fifth year of the reign of his present Majesty, for better securing the duties on glass, as was to continue for a limited time.

Cap. 100. For extending the *Monmouthshire* canal navigation; and for explaining and amending an act, passed in the thirty-second year of the reign of his present Majesty, for making the said canal.

Cap. 101. For enlarging and improving the harbour of *Aberdeen*, for building new quays, wharfs, and docks, and for making new roads and passages, and widening others leading to and from the said harbour.

Cap. 102. For granting to his Majesty additional duties on distilleries in the several parts of the highlands of *Scotland* herein particularly described, for a limited time; and for regulating the duties on distilleries in the respective districts in *Scotland*.

Cap. 103. To raise and embody a militia force in that part of the kingdom of *Great Britain* called *Scotland*.

Cap. 104. For regulating the shipping and carrying of slaves in *British* vessels from the coast of *Africa*.

Cap. 105. For granting to his Majesty several additional duties on inhabited houses.

Cap. 106. For granting to his Majesty additional duties on certain horses before charged with a duty of two shillings by an act of the thirty-sixth year of his present Majesty's reign, and on mules.

Cap. 107. For granting to his Majesty additional duties on male servants.

Cap. 108. For granting to his Majesty certain duties on clocks and watches.

Cap. 109. To amend an act, made in the thirty-third year of the reign of his present Majesty, intituled, *An act for the encouragement of seamen, and for the better and more effectually manning his Majesty's navy*; and for making further provision for those purposes.

Cap. 110. For granting to his Majesty additional duties of customs on certain goods, wares, and merchandize, imported into, exported from, or carried coastwise; and on pepper to be used and consumed in this kingdom.

Cap. 111. For granting to his Majesty an additional stamp duty on deeds.

Cap. 112. For the relief of certain insolvent debtors.

Cap. 113. For granting to his Majesty a certain sum of money, to be raised by a lottery.

Cap. 114. For raising a certain sum of money, by loans or exchequer bills, for the service of the year one thousand seven hundred and ninety-seven.

Cap. 115. For granting to his Majesty the sum of two hundred thousand pounds, to be issued and paid to the governor and company of the bank of *England*, to be by them placed to the account

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account of the commissioners for the reduction of the national debt.

Cap. 116. For making allowances in certain cases to subaltern officers of the militia in time of peace.

Cap. 117. For regulating the trade to be carried on with the British possessions in India, by the ships of nations in amity with his Majesty.

Cap. 118. For regulating the height between decks of vessels entered outwards for the purpose of carrying slaves from the coast of Africa.

Cap. 119. To repeal so much of an act, made in the fifth year of the reign of his late majesty King George the Second, intituled, *An act for the more easy recovery of debts in his Majesty's plantations and colonies in America*, as makes negroes chattels for the payment of debts.

Cap. 120. Further to continue an act, made in this present session of parliament, intituled, *An act to suspend, for a limited time, the operation of two acts of the fifteenth and seventeenth years of the reign of his present Majesty, for restraining the negotiation of promissory notes and inland bills of exchange, under a limited sum, within that part of Great Britain called England*; as revived, amended, and continued, by a subsequent act of this session, passed for the purpose of reviving, amending, and continuing the same; and also for continuing such subsequent act.

Cap. 121. To explain an act, passed in the thirty-fifth year of his present Majesty's reign, intituled, *An act for further encouraging and regulating the southern whale fisheries*.

Cap. 122. For the better preventing the forging or counterfeiting the names of witnesses to letters of attorney, or other authorities or instruments, for the transfer of stocks or funds, which now are, or by any act or acts of parliament shall hereafter be made, transferrable at the bank of England; or for the transfer of any part of the capital stock of the governor and company of the bank of England called *Bank Stock*; or for the transfer of any part of the capital stock, or any stocks or funds under the management of the South Sea company; or for the transfer of any part of the capital stock of the East India company; or for the receipt of dividends upon any of such stocks or funds.

Cap. 123. For more effectually preventing the administering or taking of unlawful oaths.

Cap. 124. To make perpetual an act, passed in the fifth year of the reign of his late Majesty, intituled, *An act to prevent the committing of frauds by bankrupts*.

Cap. 125. For authorising his Majesty to permit the exportation of an additional quantity of wheat, wheat meal, or flour, rye, barley, or malt, or bread, biscuit, or pease, to the islands of Guernsey, Jersey, and Alderney, for the sustenance and use of the inhabitants of the said islands, for a limited time.

Cap. 126. To prevent the counterfeiting any copper coin in this realm made, or to be made, current by proclamation, or any

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any foreign gold or silver coin ; and to prevent the bringing into this realm, or uttering any counterfeit foreign gold or silver coin.

Cap. 127. To shorten the time now required for giving notice of the royal intention of his Majesty, his heirs and successors, that the parliament shall meet and be holden for the dispatch of business ; and more effectually to provide for the meeting of parliament in the case of a demise of the crown.

Cap. 128. For asseling the commissioners of the tax office, and their officers, to the land tax, in the district called offices executed in *Westminster Hall* ; notwithstanding the removal of the said tax office into *Somerset Place*.

Cap. 129. For supplying the borough and town of *Weymouth*, and *Melcombe Regis*, and the parts adjacent, in the county of *Dorset*, with water.

Cap. 130. For discontinuing the new harbour of *Rye*, in the county of *Sussex*, and for repealing several acts relating thereto, and for providing for the discharge of a debt accrued on account thereof ; and for making reparation for certain losses ; and for the improvement of the old harbour of *Rye*.

Cap. 131. For building a bridge over *Bursledon* river, at or near the ferry of *Bursledon*, in the county of *Southampton*, and for making a road from the intended bridge over the river *Itchen*, at or near *Northam*, within the liberties of the town and county of the town of *Southampton*, to the said bridge, and from thence to *Titefield*, in the said county of *Southampton*.

Cap. 132. For enlarging, deepening, improving, and maintaining the harbour of *Saltoats* in the county of *Ayr*.

Cap. 133. For enabling *Thomas Macklin* to dispose of his collection of modern paintings, as now exhibited at his gallery in *Fleet Street* by way of chance.

Cap. 134. For granting to his Majesty a further additional duty on horses kept and used for the purpose of riding, or of drawing certain carriages, therein mentioned.

Cap. 135. To explain and amend an act, passed in the thirty-sixth year of his Majesty's reign, intituled, *An act for repealing certain duties on legacies, and shares of personal estate, and for granting other duties thereon, in certain cases*.

Cap. 136. To enable the commissioners of stamp duties to stamp deeds, and other instruments, bills of exchange, promissory and other notes, in the cases therein mentioned.

Cap. 137. To continue an act, made in this present session of parliament, intituled, *An act to revive and continue for a limited time, and amend an act, passed in the present session of parliament, intituled, An act to allow the banks, and certain banking companies, in that part of Great Britain called Scotland, to issue notes for sums under a certain amount, for a limited time ; and for indemnifying all persons who have issued notes for small sums of money in that part of the united kingdom*, for a limited time.

Cap. 138. To amend an act made in the twenty-second year of the reign of his present Majesty, intituled, *An act for better securing the freedom of elections of members to serve in parliament, by disabling*

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disabling certain officers, employed in the collection or management of his Majesty's revenues, from giving their votes at such elections, by extending the provisions thereof to persons voting in any meeting of freeholders for preses or clerk, or on any question relative to the adjustment of the roll of freeholders, in that part of Great Britain called Scotland; and for empowering freeholders to administer the oath of trust and possession to persons offering to vote for preses and clerk.

Cap. 139. For allowing a further time for carrying into execution certain powers contained in two acts of the present session of parliament, for raising a provisional cavalry, so far as the same relate to the registering and accepting of volunteers in lieu of the said provisional cavalry, in such counties, and sub-divisions of counties, wherein the said acts have not been carried into execution.

Cap. 140. To enable his Majesty more easily and effectually to grant conditional pardons to persons under sentence by naval courts martial, and to regulate imprisonment under such sentences.

Cap. 141. To enable the deputy of the clerk of the house of commons, for the time being, to send and receive letters and packets free from the duty of postage.

Cap. 142. For the better administration of justice at Calcutta, Madras, and Bombay; and for preventing British subjects from being concerned in loans to the native princes in India.

Cap. 143. To explain and amend an act, made in the thirty-fifth year of the reign of his present Majesty, intituled, *An act for the more effectual prevention of the use of defective weights, and of false and unequal balances.*

Cap. 144. For granting to his Majesty a certain sum of money out of the consolidated fund; and for applying certain monies therein mentioned, for the service of the year one thousand seven hundred and ninety-seven; for further appropriating the supplies granted in this session of parliament; and for making forth duplicates of exchequer bills, lottery tickets, certificates, receipts, annuity orders, or other orders, lost, burnt, or otherwise destroyed.

PUBLICK ACTS not printed in this COLLECTION.

Cap. 145. For amending, widening, altering, improving, and keeping in repair, the road from Rochdale through Bamford and Birtle to Bury, and for making and maintaining three several branches of road therewith, all in the county palatine of Lancaster.

Cap. 146. For amending, widening, turning, altering, improving, and keeping in repair, the road from or near the guide post, at or near a certain place, called Sudden Bridge, in the township of Cofleton, within the parish of Rochdale, in the county palatine of Lancaster, to the northeasterly end of a certain street or place, in the town of Bury, within the parish of Bury, in the said county, called

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called *Clerk Street*; and for making a new road from and out of the said road, at or near a place called *Captain Fold*, in the township of *Castleton* aforesaid, to communicate as well with the turnpike road leading from the town of *Rochdale* to the town of *Manchester*, in the said county, as also with the *Rochdale* canal, at or near a place called *The Blue Pitts*, in the said township of *Castleton*.

Cap. 147. For amending, widening, and keeping in repair, the road from *Magdalen Gate*, in the city of *Norwich*, to the *King's Arms Inn*, in *North Walsham*, in the county of *Norfolk*.

Cap. 148. For continuing the term and altering and enlarging the powers of two acts of parliament, passed in the twenty-second year of the reign of King *George* the Second, and in the tenth year of the reign of his present Majesty, for repairing and widening several roads in the county of *Sussex*, so far as the said acts relate to the road leading from the bridge, at the north end of *Farnhurst Lane*, through *Midhurst*, to the city of *Chichester*, and from *Chichester* aforesaid to *Delkey*, all in the said county of *Sussex*.

Cap. 149. To enlarge the terms and powers of two several acts of parliament, the one made in the twenty-third year of the reign of his late Majesty, and the other in the eleventh year of his present Majesty, for repairing the road from the city of *York*, over *Skipbridge* to *Berroughbridge*, in the county of *York*.

Cap. 150. For continuing the term, and altering and enlarging the powers of two acts, passed in the twenty-ninth year of the reign of his late Majesty, King *George* the Second, and in the sixteenth year of the reign of his present Majesty, so far as the same relate to the roads from *Basingstoke*, through *Popham Lane*, *Sutton Scotney*, and *Stockbridge*, in the county of *Southampton*, to a place called *Lobcomb Corner*, in the county of *Wilts*.

Cap. 151. For reviving, continuing, and amending, an act, passed in the eleventh year of the reign of his present Majesty, for repairing and widening the road leading from *Wem*, in the county of *Salop*, to the lime rocks at *Bron y garth*, and several other roads in the counties of *Salop* and *Denbigh*.

Cap. 152. For enlarging the term and powers of certain acts, passed in the third, seventeenth, and thirtieth years of the reign of his late Majesty, and the thirteenth year of his present Majesty, for repairing several roads in the counties of *Warwick*, *Worcester*, and *Gloucester*, so far as relate to the road leading from a gate called *Shipston Toll Gate*, at *Bridge Town*, in the parish of *Old Stratford*, through *Aldermminster* and *Shipston upon Stower*, to the top of *Long Compton Hill*, in the said county of *Warwick*.

Cap. 153. For more effectually making and repairing certain roads in the stewartry of *Kirkcudbright*, and for amending an act made in the twentieth year of the reign of his present Majesty, for repairing the highways, bridges, and ferries, within the said stewartry.

Cap. 154. For completing, widening, and keeping in repair the road from *West Lavington*, unto and through the town of the

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the *Devizes*, to the house known by the name of *The Green Man*, in *Seend*, in the county of *Wilts*; and from *Rowde Ford*, through the *Devizes* market-place, to join the *Beckhampton* turnpike road near *Wansdyke*; and from the east end of the *Devizes* aforesaid, to the top of *Red Hone Hill*, in the said county of *Wilts*.

Cap. 155. For continuing the term, and altering and enlarging the powers of three acts, passed in the third and seventeenth years of his late majesty King *George* the Second, and in the sixteenth year of the reign of his present Majesty, for repairing the road from that part of *Chatham* which lies next to the city of *Rochester*, to *Saint Dunstan's Cross* near the city of *Canterbury*, in the county of *Kent*, and for amending and widening the road from the turnpike road at or near a place called *Makenade Corner*, in the parish of *Preston*, to *Bagham Cross* and *Sbalmsford Lane End*, in the parish of *Chilham*, in the said county.

Cap. 156. For repairing and widening the road, leading from the town and port of *Dover*, through the town and borough of *Deal*, to a certain place in the parish of *Sholden*, called *Foulmead Field*; and for making a new road through part of the said field, and *Hacklinge Brooks*, and part of a certain other field, called *Word Field*, to or near to a messuage or farm house, called *Upton Farm*, in the parish of *Worth* otherwise *Word*; and for repairing and widening the road from thence to the town and port of *Sandwich*.

Cap. 157. For amending, altering, widening, improving, and keeping in repair, the road from the present turnpike road at *Hulmes Chapel* in the county palatine of *Chester*, leading from *Hulmes Chapel* to *Knutsford*, to the south bridge in *Chelford*, in the said county, near to *Chelford Chapel*.

Cap. 158. To continue the term and alter and enlarge the powers of an act of the eleventh year of his present Majesty's reign, for more effectually repairing and amending the roads from *Liverpool* to *Precot*, *Abton*, and *Warrington*, and other roads therein mentioned, in the county palatine of *Lancaster*.

Cap. 159. For enlarging the term and powers of three several acts, passed in the thirty-first year of the reign of his late Majesty, and in the first and eighteenth years of the reign of his present Majesty, for repairing the road from *Leeds* to *Sheffield*, in the county of *York*, so far as the same relate to the road from *Wakefield* to *Sheffield*.

Cap. 160. For enlarging the term and powers of an act, made in the seventeenth year of the reign of his present Majesty, for repairing the road from *Halifax* to *Sheffield*, in the west riding of the county of *York*, so far as the same relate to the road from *Penistone* to *Sheffield*.

Cap. 161. For enlarging the term and powers of so much of an act passed in the thirty-fourth year of his present Majesty's reign, as relates to the road from the toll house in *Paisley Lane* at the west side of the entry to the new bridge of *Glasgow*, by or near *Park-house*, to the east end of the bridge at *Renfrew*.

Cap. 162. For enlarging the term and powers of several acts made in the twenty-sixth, twenty-seventh, and thirtieth years

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years of his late Majesty's reign, and in the twenty-ninth and thirty-second years of his present Majesty's reign, for making and repairing the roads from *Gorbals* of *Glasgow* to *Floatbridge* and *Easter Grange* in the county of *Renfrew*, and other roads in the said county; and for making and repairing certain other roads in the said county branching from or connected with the roads mentioned in the said acts.

Cap. 163. For more effectually amending, improving, and keeping in repair the road from the *West Cowgate*, near the town of *Newcastle upon Tyne*, through the west end of *Kenton*, *Ponteland*, *Higham Dykes*, *Newham Edge*, *Belfay Mill*, and *South Middleton*, to the north side of the river *Wansbeck*, in the county of *Northumberland*, and also the road leading from the said road to the *Allemouth* turnpike road.

Cap. 164. For amending and rendering more effectual so much of two acts, made in the twenty-ninth and thirty-third years of the reign of his present Majesty, for making and repairing certain roads in the county of *Perth*, as relates to the road from *Perth* to *Orieff*, and the branches thereof.

Cap. 165. For repairing, widening, and improving, the publick high road, leading from *Milnthorpe* to *Kirkby-Lonsdale*, in the county of *Westmorland*.

Cap. 166. For altering, amending, and enlarging, the term and powers of an act, made in the thirty-fourth year of his present Majesty's reign, for making and repairing certain roads; in the counties of *Clackmannan* and *Perth*.

Cap. 167. For amending, widening, altering, and keeping in repair, the road leading from a place called *Morton's Corner*, in the town of *Wellingborough*, in the county of *Northampton*, to the east end of *Abington Street*, in the town of *Northampton*.

Cap. 168. For continuing the term, and altering and enlarging the powers of two acts, passed in the twenty-ninth year of the reign of his late majesty King *George the Second*, and in the seventeenth year of the reign of his present Majesty, for repairing and widening certain roads leading to and from the city of *Lincoln*; and for repairing and widening the roads from the termination of the present turnpike road, at the foot of *Bracebridge Bridge*, over the said bridge, westward, to the extremity of the county of *Lincoln*, near a place called *Potter Hill*, and from the termination of the present turnpike road, at the foot of *Carwick Hill*, southward, to a windmill at the top of the said hill.

Cap. 169. For continuing the term, and altering and enlarging the powers of an act passed in the twenty-eighth year of the reign of his late majesty King *George the Second*, for repairing and widening the road from *Basingstoke*, through *Wortin*, *Overton*, *Whitchurch*, *Hursborn Pryors*, *Andover*, and *Middle Wallop*, in the county of *Southampton*, to a place called *Lobcomb Corner*, in the parish of *Winterstow*, in the county of *Wilts*; and of another act, made in the fourteenth year of the reign of his present Majesty, for enlarging the term and powers of the said act, for including the road from *Spittle House* over *Weyhill* to *Mullen's Pond*,

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Pond, as directed by an act, made in the twenty-ninth year of his said majesty King George the Second, and for amending the roads from *Andover*, through *Charlton*, towards *Tangley*, and from *Charlton* to *Cianfield Bottom*; and from *Weyhill* to *Sarson Street*; and also the road through the said town of *Basingstoke*; and also for amending, widening, and keeping in repair, certain other roads in the county of *Southampton*.

Cap. 170. For more effectually repairing, improving, and keeping in repair, the road leading from the guide post, in the village of *Adderbury*, in the county of *Oxford*, through *Kidlington*, to the end of *The Mileway*, in the city of *Oxford*.

Cap. 171. For making and repairing the road from *Kinross*, in the county of *Kinross*, to *Alloa*, in the county of *Clackmannan*.

Cap. 172. For amending, widening, altering, improving, and keeping in repair, the road leading from *Atcham*, through *Con Glover* to *Dorrington*: and also the road branching out of the said road, at a place called *Allfield Turning*, in the said parish of *Con Glover*, to the turnpike road leading from *Shrewsbury* to *Ludlow*, at a place called *Hongerhill*, in the same parish, all in the county of *Salop*.

Cap. 173. For amending, widening, altering, and keeping in repair, the road from *Bolton in the Moors*, to *Blackburn*, in the county palatine of *Lancaster*.

Cap. 174. For amending, widening, altering, and keeping in repair, the road from or near *Edenfield Chapel*, in the township of *Tottington Higher End*, in the parish of *Bury*, to the township of *Little Bolton*, in the parish of *Bolton in le Moors*; and also for making and maintaining a road, from the said road, at or near a place called *Booth Pitts*, in the township of *Tottington Lower End*, to or near *Bury Bridge*, in the township of *Elton*, in the said parish of *Bury*, all in the county palatine of *Lancaster*.

Cap. 175. For enlarging the term and powers of two acts, passed in the thirtieth year of the reign of his late Majesty and the twelfth year of the reign of his present Majesty, for repairing and widening several roads leading to, through, and from the town of *Frome* in the county of *Somerset*; and for paving the footways and lighting the streets within the said town.

Cap. 176. For enlarging the term and powers of several acts, for amending and keeping in repair several roads therein mentioned, leading into the town of *Leominster*, in the county of *Hereford*.

Cap. 177. For more effectually repairing the roads between the house commonly called *The Horseshoe House*, in the parish of *Stoke Goldington*, in the county of *Buckingham*, and the town of *Northampton*; and from the north bridge of *Newport Pagnel*, in the said county of *Buckingham*, to the said *Horseshoe House*.

Cap. 178. For extending the term, and amending and enlarging the powers of an act, passed in the nineteenth year of the reign of his present Majesty, intituled, *An act for making and repairing several roads round the city of Bristol*; and for making and keeping in repair a road from the turnpike gate, at the sign of *The Blackbirds*, on the *Stapleton* and *Mangotsfield* common,

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common road, into the *Bitton*, and *Toghill* common road.
Cap. 179. For amending, altering, improving, and keeping in repair, the road leading from the town of *Cambridge*, into the old north road near *Aerington Bridge*, all in the county of *Cambridge*.

Cap. 180. For enlarging the term and powers of an act, passed in the thirtieth year of his present Majesty's reign, intituled, *An act for making and repairing the road from Newmiln Bridge, by Foodie's mill, Inverkeithing, Aberdour, Kircaldy, Gallatown, and Cameron Bridge, to Craill, and other roads in the county of Fife; and for making and repairing other roads in the said county.*

P R I V A T E A C T S.

1. **A**n act for naturalizing *Gaetano Testolini*.
2. An act for naturalizing *George Astor*.
3. An act for naturalizing *Nicholas Horn*.
4. An act to dissolve the marriage of *John Opie* esquire, with *Mary Bunn*, his now wife, and to enable him to marry again, and for other purposes therein mentioned.
5. An act for dividing, and allotting, the open and commonable pastures, and for exchanging, allotting, and improving, the open and commonable arable lands, within the parish of *Aller*, in the county of *Somerset*.
6. An act for dividing and enclosing the several commons and waste grounds, within the manor and parish of *South Nor-manton*, in the county of *Derby*.
7. An act for naturalizing *Charles Gruneisen*.
8. An act for naturalizing *Anthony Ravelli*.
9. An act for naturalizing *Abraham Henry Borel*, *Henry Borel*, *Louis Borel*, and *Stephen Azemar*.
10. An act for naturalizing *John Frederick Steinberg* and *Charles Blayrock*.
11. An act for naturalizing *George Choumert*.
12. An act for naturalizing *Wynand Adriaen de Gruyter Vink*.
13. An act for naturalizing *Ulrich Anthony Hinrichs*.
14. An act for dividing, allotting, and enclosing, the open commonable lands, and fields, within the parish of *High-ham*, in the county of *Somerset*; and also a certain open or commonable field called, *Hom Down*, lying partly within the said parish of *High-ham*, and partly within the parish of *Huish Episcopi*, in the same county.
15. An act for dividing, allotting, and enclosing, the open and commonable pastures, within the parish of *Weston Zoyland*, in the county of *Somerset*.
16. An act for dividing, allotting, and enclosing, a certain parcel or tract of commonable ground, formerly part of *King's Sedgmoor*, lying in the parish of *Street*, in the county of *Somerset*; and also for dividing and allotting a certain parcel or tract of

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waste land, called *Turf Moor*, in the parish of *Street* aforesaid.

17. An act for naturalizing *Philipp Frederick Muntz*.

18. An act to dissolve the marriage of *William Bright*, with *Hannah Lockwood* his now wife, and to enable him to marry again, and for other purposes therein mentioned.

19. An act to enable the governors of the hospital of King *James*, founded in *Charter House*, to sell and convey a messuage, cottages, and divers lands, tenements, and hereditaments, in *Fulstow Marsh, Chappel, and Tetney*, in the county of *Lincoln*; and for laying out the money arising from such sale in the purchase of other lands and tenements, or hereditaments, for the benefit of the said hospital.

20. An act to explain and amend an act, passed in the fourth and fifth years of the reign of her late majesty, Queen *Anne*, intituled, *An act for augmenting the number of canons residentiary in the cathedral church of Litchfield, and for improving the deanry and prebends of the said cathedral*, and to make further provision for the canons residentiary in the said cathedral church, and an addition to the fabrick fund thereof.

21. An act for dividing allotting, and enclosing, the several commons and waste lands, within the parish of *Exton*, in the county of *Somerset*, and also within the several manors of *Cutcombe Mowen*, and *Cutcombe Rowleigh*, in the parish of *Cutcombe*, in the same county.

22. An act to relieve *William marquis of Lansdown* from certain disabilities in consequence of his having sat and voted in the house of peers without being duly qualified, by taking the oaths and making the declaration prescribed by law, and subscribing the same respectively.

23. An act for dividing and enclosing the open and common fields, meadows, pastures, and other commonable lands and grounds, in the parish of *Dunton* in the county of *Bedford*.

24. An act for naturalizing *Jacob Bagelmann, John Siffken, and George Lewis Christian Tatter*.

25. An act for dividing, allotting, and enclosing the open and common fields, meadows, pasture, and all other unenclosed lands and grounds in the parish of *Swayfield*, in the county of *Lincoln*, and a parcel of open land called *The Intercommon*, within, or belonging to, the said parish of *Swayfield*, and to the parish of *Corby*, in the said county.

26. An act for dividing and enclosing the several open and common fields, meadows, pastures, waste lands and commonable grounds, in the parish of *Campion cum Shefford*, in the county of *Bedford*.

27. An act for dividing and enclosing several open fields, and meadow and pasture ground, and several moors or commons, within the manor and parish of *Harewood*, in the county of *York*.

28. An act for naturalizing *Henry Wienbalt*.

29. An act for naturalizing *Anthony Henry Libotton*.

30. An act for dividing, allotting, and enclosing, the commons and waste lands, within the parish of *Puriton*, in the county of *Somerset*.

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31. An act for dividing, allotting, and enclosing, the open and commonable lands and fields, within the parish of *Huish Episcopi*, in the county of *Somerset*.

32. An act for dividing and allotting the open and commonable pastures, and for exchanging, allotting, and improving, the open and commonable arable lands, within the parish of *Ottery*, in the county of *Somerset*.

33. An act to enable *Denny Martin*, doctor in divinity, to take, use, and bear, the surname and arms of *Fairfax*, pursuant to the will of the right honourable *Thomas lord Fairfax* deceased.

34. An act for naturalizing *Peter Andrew Runquist*.

35. An act for dividing, allotting, and enclosing, the open and common fields, common meadows, common pastures, and waste lands and grounds, within the parish of *Tring*, in the county of *Hertford*.

36. An act for dividing, allotting, and enclosing, the common fields, half year or shack lands, heaths, commons, and waste grounds, within the parish of *Barningham*, in the county of *Suffolk*.

37. An act for dividing, allotting, and enclosing, the arable lands, intermixed pastures, commons, and waste grounds, within the parish of *Acle*, in the county of *Norfolk*.

38. An act to enable the rector of the parish church of *Hitcham*, in the county of *Bucks*, to exchange part of his glebe lands there for other lands in the same parish, belonging to the right honourable *William Wyndham lord Grenville*.

39. An act to enable the trustees, to be therein named, to make exchange of certain estates comprised in the act of the third of *Charles the First*, for entailing the castle and manor of *Arundel*, in the county of *Sussex*, and certain other estates in the said act mentioned.

40. An act for the enfranchisement of copyhold and customary lands, parcel of the manor of *Arundel*, and other manors entailed by the act of parliament of the third of *Charles the First*, and for the sale of tythes, also entailed by the said act.

41. An act for dividing, allotting, and enclosing, certain moors, commons, or waste grounds, within the townships of *Sawley* and *Winksey*, in the parish of *Ripon*, in the county of *York*.

42. An act for dividing, allotting, and enclosing the open and common arable fields, common meadows, common and waste lands, within the parish of *Wing*, in the county of *Buckingham*.

43. An act for dividing, allotting, and enclosing, a certain tract or parcel of moor, common, or waste ground, called *Halton Moor*, within and parcel of the manor of *Halton*, in the parish of *Halton*, in the county palatine of *Lancaster*.

44. An act for dividing and enclosing certain tracts or parcels of moor, common or waste grounds, within and parcel of the honor and manor of *Hornby*, in the county palatine of *Lancaster*.

45. An act for dividing and enclosing the several open common fields, meadows, and pastures, commons and waste grounds, within the parish of *Etwall*, in the county of *Derby*.

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46. An act for dividing, allotting, and enclosing, the open commons and waste lands within, or adjoining to, the township or parish of *Chewton Mendip*, in the county of *Somerset*.
47. An act for dividing and enclosing a certain tract or parcel of moor, common, or waste ground, called *Over Kellett Moor*, within and parcel of the manor or lordship of *Over Kellett*, in the parish of *Bolton by the Sands*, in the county palatine of *Lancaster*.
48. An act for dividing and enclosing the common fields, and waste lands, within the township of *Dalton*, in the several parishes of *Rotherham* and *Thrybergh*, in the west riding of the county of *York*.
49. An act for dividing and enclosing the open and common fields, common meadows, common pastures, and other com-monable lands and grounds, within the parish of *Thornborough*, in the county of *Buckingham*.
50. An act for dividing, allotting, and laying in severalty, the open and common fields and downs, common meadows, common pastures, and other open lands and grounds, within the several hamlets or tythings of *Alicannings* and *Allington*, in the county of *Wiltshire*.
51. An act for dividing, allotting, and enclosing, the whole year lands, common fields, half year or slack lands, fens, commons, commonable wood grounds, and other commonable and waste lands, within the parish of *Sabam Tone*, in the county of *Norfolk*.
52. An act for dividing and enclosing the open and common fields, common meadows, and other commonable lands, within the parish of *Wingrave with Rowfham*, in the county of *Buck-ingham*.
53. An act for dividing, allotting, and enclosing, the open and common fields, pastures, commons, and waste grounds, within the parish of *Saint Mary*, in the town of *Bedford*, in the county of *Bedford*.
54. An act for dividing and enclosing the heaths, fen grounds, commons, and waste lands, within the parishes of *Uggeshall*, *Frostenden*, and *South Cove*, in the county of *Suffolk*.
55. An act for dividing and enclosing the heaths, fen grounds, commons, and waste lands, within the parishes of *Sotterly*, *Henstead with Hulverstrett*, and *Wrentham*, in the county of *Suffolk*.
56. An act for dividing, allotting, and enclosing the commons and waste grounds, within the township of *Hawwood*, in the county palatine of *Lancaster*.
57. An act for dividing, allotting, and enclosing, the open fields, meadows, common pastures, and other common and waste lands and grounds, in the parish of *Barrow* in the county of *Lincoln*.
58. An act to dissolve the marriage of the right honourable *Charles Sloane Cadogan*, lord *Cadogan*, with *Mary Churchill*, his now wife, and to enable him to marry again, and for other purposes therein mentioned.
59. An

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59. An act for effectuating a settlement of the freehold and copyhold estates of *Charlotte Laura*, the wife of *John Wadehouse* esquire, late *Charlotte Laura Norris* spinster, pursuant to articles executed previous to their marriage, notwithstanding the infancy of the said *Charlotte Laura Wadehouse*.

60. An act to enable the trustees and executors of the will of *Samuel Browne* merchant, to settle the residue of his personal estate, and the produce of his real estate, pursuant to the agreements made previous to the marriages of his daughters, *Pleasance* the wife of *Edward Roger Pratt* the elder, esquire, and *Hester* the wife of *Jacob Henry Astley* esquire.

61. An act for vesting in trustees the settled estates of *George Hassell* esquire, in trust to sell the same, and to lay out the money arising from the sale thereof in the purchase of other estates, to be settled to the uses therein mentioned.

62. An act for effectuating a partition of certain estates of *Francis Chaplin* esquire, and *Theophilus Buckworth* esquire, in the county of *Lincoln*.

63. An act for dividing, allotting, and enclosing, the commons, moors, wastes, and waste grounds, called *Lea Moor*, or *Sapperton Moor*, and *Hare Hill*, and also a certain common meadow, and all other commonable places and waste grounds, within the township or liberty of *Sapperton*, in the parish of *Church Broughton*, in the county of *Derby*.

64. An act for dividing and enclosing the open and common fields, meadows, lands, commons, and commonable places, in the parish of *Chalgrove*, in the county of *Bedford*.

65. An act for vesting in trustees, and their heirs, certain estates at *Mappowder* and *Plush*, in the county of *Dorset*, and *Inkpen* and *Kintbury*, in the county of *Bucks*, devised by the will of *John* late earl *Spencer*, in trust, to convey the same to the right honourable *George John* earl *Spencer*, and his heirs, discharged from the uses and trusts of the said will, on the said right honourable *George John* earl *Spencer*, settling in lieu thereof, to the uses and upon the trusts of the said will, his estate at *Chapel Brampton*, in the county of *Northampton*.

66. An act for effectuating an exchange between the right honourable *John* earl of *Ashburnham* and the dean and chapter of *Canterbury*, of the advowson of the rectory of *Ninfield* for the advowson of the vicarage of *Ashbourneham*, both in the county of *Sussex*.

67. An act for dividing and enclosing the open and common fields, common pastures, common meadows, and common or waste land, in *Mollington*, in the counties of *Oxford* and *Warwick*, within the parish of *Cropredy*, in the said county of *Oxford*.

68. An act for dividing, allotting, and enclosing, the several common fields, common downs, common pastures, waste lands, and other commonable places, within the parish of *Whitchurch*, in the county of *Southampton*, except the commonable lands lying within the borough of *Whitchurch*, and except the common arable field called *The Burgage Field*.

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69. An act for dividing and enclosing the open and common fields, common meadows, common pastures, and other commonable lands and grounds, within the parish and liberties of *Whittlebury*, in the county of *Northampton*, (except such commonable lands and grounds within the said parish and liberties as lie within the present ringmound of the forest of *Whittlewood*, or *Whittlebury*) ; and for extinguishing a right of common in and over two certain pieces of ground within the said parish, called *Porter's Wood*, and *Long Hedge*.

70. An act for enabling the governors of the free grammar school of *Queen Mary*, at *Walfall* in the county of *Stafford*, to sell certain mines under part of their lands, and to sell or exchange certain parts of their lands lying dispersed, for improving and extending the benefits of the foundation of the said school, for enlarging the trusts and powers of the said governors, and for enabling them to build a chapel, and for other purposes.

71. An act for establishing and rendering effectual certain articles of agreement, enabling the several fee farm and customary tenants within the honor, manor, and lordship of *Hornby*, and manor of *Tatham*, in the county palatine of *Lancaster*, who heretofore have omitted, now to come and in and purchase the timber trees and underwoods growing upon their respective tenements, and for vesting the sole property thereof in them respectively, and extinguishing the customary right of the other tenants therein, and for releasing and extinguishing the freehold fee farm and customary rents, boons, fines, and other services of right, due and accustomed for the tenements of such of the said tenants who have executed the said articles of agreement, and for extending the like powers and benefits to such of the said tenants, not being parties to the said articles, who shall, within a limited time, conform to the trusts thereof, with such exceptions and reservations only as are in this bill mentioned.

72. An act for vesting certain undivided parts or shares, devised by the will of *James Davis* esquire, of and in several estates in the counties of *Monmouth* and *Gloucester*, in trustees to be sold, and for applying part of the money arising thereby in discharging incumbrances, and for laying out the surplus in the purchase of other estates, to be settled in lieu thereof, and to the same uses.

73. An act for sale of certain lands and hereditaments in the parish of *Burnham*, in the county of *Bucks*, devised by the will of *Elliot Salter* esquire, deceased, and for laying out the money arising by sale thereof in the purchase of other lands, tenements, and hereditaments, to be conveyed to the same uses.

74. An act for dividing, allotting, and enclosing, the open and common fields, common meadows, common pastures, and other commonable and waste lands, in the parish of *Cain Saint Dennis*, in the county of *Gloucester*.

75. An act for dividing, allotting, and enclosing, the common and open fields, ings, common meadows, common pastures, commons,

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mons, and other open commonable lands, and waste grounds, in the parish of *Diddington*, otherwise *Dodington*, in the county of *Huntingdon*.

76. An act for dividing, allotting, and enclosing, all the commons and waste lands, within the parish of *Abcott*, in the county of *Somerset*.

77. An act for vesting certain lands and hereditaments, devised by the will of *John Perrott* esquire, deceased, in trustees, to sell and exchange; and for applying the sum of one thousand pounds, arising from such sale or exchange, in discharge of a mortgage affecting the said devised estates; and for laying out the residue of the said money in the purchase of other hereditaments, to be settled to the same uses, and to enable the said trustees, and the several other persons therein named, to grant building and other leases of the said devised estates.

78. An act for enabling *Thomas Stinton*, doctor in divinity, and his successors, to grant, in manner therein mentioned, a lease of a certain part of the prebendal lands situate in the several parishes therein mentioned.

79. An act for vesting part of the settled estates of *Charles Williams Taylor* esquire, in trustees, to be sold, for paying incumbrances, and for laying out the surplus monies in the purchase of other estates, to be settled in lieu thereof, and to the same uses, and for other purposes.

80. An act for vesting certain detached parts of the settled estates of sir *William Lowther*, baronet, in trustees, in trust, to convey the same to the said sir *William Lowther* in fee, upon his the said sir *William Lowther's* conveying other estates to the uses of the settled estates.

81. An act for vesting the manor of *East Mark*, and certain lands and hereditaments in the county of *Somerset*, part of the settled estates of *Henrietta Maria*, the wife of *Michael Hicks Beach* esquire, in trustees, to be sold, and for investing the money arising by such sale in the purchase of other lands and hereditaments, to be settled to the same uses.

82. An act to confirm and render valid and effectual a partition of divers messuages, cottages, lands, tenements, and hereditaments, in the several counties of *Warwick* and *Stafford*, whereof an undivided moiety was devised by the will of *Anna Maria Sacbeverell* widow, and the other undivided moiety by the will of *Jane Gough* widow, deceased, and for settling and assuring the specific messuages, lands, and hereditaments, which upon such partition have been allotted to be held in severalty, for or in lieu of each of the said undivided moieties, to such uses as by the said wills are limited, of and concerning the said undivided moieties respectively.

83. An act for vesting several messuages and hereditaments in the parish of *Allhallows Steyning*, in the city of *London*, in the corporation of the *Trinity House*, subject to several perpetual yearly rent charges payable to the rector, clerk, sexton, and churchwardens, of the same parish.

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84. An act for dividing, allotting, and enclosing, the commons, commonable woods, and waste lands, within the manor and parish of *Chaddeley Corbett*, in the county of *Worcester*.
85. An act for dividing, allotting, and laying in severalty, the open and common fields, and downs, common pastures, and other open lands and grounds, within the hamlet or tything of *Easterton*, in the county of *Wilts*.
86. An act for dividing and enclosing the common or waste grounds, open fields, meadows, and pastures, within the manor and parish of *Bunny*, in the county of *Nottingham*.
87. An act for dividing, allotting, and enclosing, the open and common fields, and other commonable lands and grounds, within the parish of *Wyke Regis*, in the county of *Dorset*.
88. An act for dividing, allotting, and laying in severalty, the common and open fields, common meadows, commonable lands, commons, and waste grounds, within the parish of *Great Wilbraham*, in the county of *Cambridge*.
89. An act for dividing, allotting, enclosing, and laying in severalty, the common and open fields, common meadows, commonable lands, commons, and waste grounds, within the parish of *Little Wilbraham*, in the county of *Cambridge*.
90. An act to explain, amend, and enlarge, the powers of an act passed in the thirty-fourth year of the reign of his majesty King George the Third, intituled, *An act for dividing and enclosing the open and common fields, common meadows, common pastures, and other commonable lands, within the parish of Corse, in the county of Gloucester*.
91. An act for dividing, and enclosing, the open and common fields, meadows, commons, and waste grounds, in the lordship of *Toddington*, and hamlet of *Charlton*, in the parish of *Toddington*, in the county of *Bedford*.
92. An act for dividing and enclosing the heaths, fen grounds, commons, and waste lands, within the parishes of *Barnby* and *Mutford*, in the county of *Suffolk*.
93. An act for dividing and enclosing the common and open fields, common meadows, and other commonable lands and waste grounds, in the parish of *Elstow*, in the county of *Bedford*.
94. An act for allotting, dividing, and enclosing the several commons and waste lands in the township of *Dutton*, in the parish of *Prescot*, in the county palatine of *Lancaster*.
95. An act for dividing, allotting, and enclosing, the several commons and waste lands, lying and being within the parishes of *Shipham* and *Winscombe*, in the county of *Somerset*.
96. An act to dissolve the marriage of *Joseph Henry Cooke* surgeon, with *Elizabeth Smith* his now wife, and to enable him to marry again, and for other purposes therein mentioned.
97. An act to dissolve the marriage of *James McGauley* with *Elizabeth Rowlands* his now wife, and to enable him to marry again, and for other purposes therein mentioned.
98. An act for naturalizing *Lewis John Marie Haussoullier*.
99. An act for allowing timber to be cut upon certain estates settled by the will and codicil of sir *Francis Henry Drake*, baronet, and for applying and laying out the money to arise therefrom in

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in the purchase of other estates, to be settled to the same uses.

100. An act for vesting several estates in the county of *Chester*, of the right honourable *George James earl Cholmondeley*, as devisee for life under the will of the honourable general *James Cholmondeley*, deceased, in the said earl *Cholmondeley*, in fee simple, and for settling other estates of the said earl, in the same county, in lieu thereof.

101. An act for vesting part of the estates of the late sir *James Dashwood* in trustees, in trust, to sell the same, and to apply the money arising thereby in discharging certain incumbrances therein mentioned, and to apply the residue, if any, of the money arising from such sale or sales in the purchase of estates, to be settled to the uses of the will of the said sir *James Dashwood*.

102. An act for dividing, allotting, and enclosing, the common and open fields, ings, common meadows, common pastures, commons, and other open commonable lands and waste grounds, in the parish of *Southoe*, in the county of *Huntingdon*.

103. An act for dividing, allotting, and enclosing, the several open, common, and waste lands, within the several manors of *Holwell* and *Woodbridge*, and in the parish of *Holwell*, in the county of *Somerset*.

104. An act for dividing, allotting, and enclosing, the open and common fields, common pastures, and other commonable and waste lands, within the several parishes of *Somerton*, and *Compton Dundon*, and certain open or commonable lands, called *Southmead* and *Kingsmoor*, situate within the several parishes of *Somerton*, *Long Sutton*, *Kingsdon*, *Northover*, and *Ilchester*, and the hamlets or tithings of *Widcombe*, *Ash*, and *Milton*, in the parish of *Marstock*, some or one of them; and also, so much of a certain allotment or tract of unenclosed land, within the said parish of *Long Sutton*, as appertaineth to sundry tenements within the manor of *Knoll*, in the parish of *Long Sutton* aforesaid, all in the county of *Somerset*.

105. An act for dividing, allotting, and enclosing, certain moors, commons, or waste lands and grounds, lying and being within the parishes of *North Curry*, *Stoke Saint Gregory*, and *West Hatch*, in the county of *Somerset*.

106. An act for dividing, allotting, and enclosing, certain pieces of common or waste land, within the township of *Cridling Stubbs*, in the west riding of the county of *York*.

107. An act for dividing, allotting, and enclosing, certain commons or waste lands within the manor and parish of *Lindridge*, in the county of *Worcester*.

108. An act for dividing, allotting, and enclosing, the open and common fields and meadows, commonable and intermixed lands and waste grounds, within, or belonging to, the parish of *Askeworth*, in the county of *Gloucester*.

109. An act for dividing, allotting, and enclosing, certain commons or waste lands, in the several parishes of *Moreton Corbet*, *Shrewsbury*, *Stanton upon Hine Heath*, and *Hednet*, in the county of *Salop*.

110. An act for dividing and enclosing the open and common

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mon fields, meadows, pastures, waste lands, and other commonable lands and grounds, in the parish of *Southill*, in the county of *Bedford*.

111. An act for dividing and enclosing the open common fields, and other commonable lands, within the parish of *Knipton*, in the county of *Leicester*.

112. An act for dividing, allotting, and enclosing, the open and common fields, and other commonable lands and grounds, within the parishes of *Hinton Martel* and *Gussage All Saints*, in the county of *Dorset*.

113. An act for dividing, allotting, and enclosing, the common and open fields, meadows, commonable lands, and waste grounds and places, in the parish of *Harrold*, in the county of *Bedford*.

114. An act for dividing and enclosing the open and common fields, common meadows, and other commonable lands, within the parish of *Stoke Mandeville*, in the county of *Buckingham*.

115. An act for dividing and enclosing the waste lands, within the manor of *Kerry*, in the county of *Montgomery*.

116. An act for effectuating an exchange between the governors of the free grammar school of *Harrow on the Hill*, in the county of *Middlesex*, and *John Hunter, of Gubbins*, in the county of *Hertford*, esquire, of a farm and certain lands, in the parishes of *North* and *South Mims*, in the said counties of *Hertford* and *Middlesex*, for a farm and certain lands in the parish of *Harrow on the Hill* aforesaid.

117. An act for empowering the judges of the court of session in *Scotland* to sell the superiorities of the lands holden blench or in feu of the estate of *Lovat*, together with the feu and other duties payable by the vassals of proprietors of such lands to the heir of entail of the said estate, and also such parts and portions of the entailed estate of *Lovat*, and others, in the county of *Inverness*, belonging to the honourable lieutenant general *Simon Fraser of Lovat*, now deceased, as shall be sufficient for payment of the debts contracted by him, and affecting the said lands and estate, and for vesting the remainder in the heirs of entail named by the said lieutenant general *Simon Fraser*, subject to the limitations and provisions of his deeds of entail.

118. An act for sale of part of the estates comprised in the marriage settlement of *Edward Buckley* esquire, and *Elizabeth* his wife, in order to pay off an incumbrance affecting the same, and for other purposes therein mentioned.

119. An act for the better enabling the trustees to sell and dispose of the remaining estates of the late *Robert Piggot* esquire, situate in the several parishes, townships, hamlets, fields, precincts, and territories, of *Peplow*, *Hodnett*, *Little Bolas*, and *Stoke upon Tern*, in the county of *Salop*.

120. An act for discharging certain estates comprised in the marriage settlement of *Richard Langley* esquire, from the uses thereby

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thereby limited, and for settling other estates in lieu thereof.

121. An act for exchanging the advowson of the vicarage of the abbey church, otherwise holy cross, with *Saint Giles* annexed, in the county of *Salop*, belonging to his Majesty, for the advowsons of the churches of *Risby* and *Fornham Saint Genoisse*, otherwise *Saint Genoueve*, in the county of *Suffolk*, belonging to the right honourable *Thomas Noel* lord *Berwick*.

122. An act for dividing, allotting, and enclosing a certain common moor or tract of waste ground, called *Wark Common*, lying wholly or partly within the barony or manor of *Wark*, in the parish of *Carham*, in the county of *Northumberland*.

123. An act for dividing and enclosing the open common fields, half years meadow land, heath, commons, and waste grounds in the parishes of *Blankney* and *Scopwick*, in the county of *Lincoln*.

124. An act for dividing, allotting, and inclosing certain open fields, common pastures, commons, or waste grounds, within the manor of *Settrington*, in the east riding of the county of *York*.

125. An act for dividing and enclosing the open and common fields, and other commonable land and ground, within the parish of *Oxhill*, in the county of *Warwick*.

126. An act for dividing and allotting certain open and commonable pastures, and for exchanging, allotting, and improving, certain open and commonable arable lands, within the parish of *Moorlince*, in the county of *Somerset*.

127. An act for naturalizing *Henry Lewis Schedel*.

128. An act for naturalizing *Jean Nicholas Joseph Soileux*.

129. An act for naturalizing *Frederick Heisib* and *John Jacob Moise*.

130. An act for vesting the manors, and other hereditaments situate in the county of *Cambridge*, devised by the will of *Bridget Southcote* widow deceased, in trustees for sale, and for laying out the money arising from the sale thereof in estates in the county of *Norfolk*, to be settled to the uses devised by the said will of the said *Bridget Southcote*.

131. An act for dividing, allotting, and enclosing, the commons and waste grounds, within the manor and parish of *Selby*, in the west riding of the county of *York*.

132. An act to dissolve the marriage of sir *Godfrey Vassall* (lately called sir *Godfrey Webster*) baronet, with *Elizabeth Vassall* his now wife, and to enable him to marry again, and for other purposes therein mentioned.

133. An act for vesting in trustees certain parts of the late earl of *Bradford's* estates, in the county of *Salop*, devised by the will of general *Harry Pulteney*, for the purpose of effecting an exchange thereof with the right honourable *Thomas Noel* lord *Berwick*, and for settling the estates, to be taken in exchange, to the like uses and manner as the said earl of *Bradford's* estates, in the said county of *Salop*, are now settled.

134. An act for vesting the freehold and leasehold, or chattel-hold

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hold estates, respectively, comprised in the marriage settlement of *John Pinney* esquire, and *Elizabeth* his wife, and situate in the county of *Somerset*, in the said *John Pinney*, his heirs, executors, administrators, and assigns, discharged from the uses and trusts by such settlement limited and declared of the same, and for settling divers other freehold and leasehold or chattelhold mesuages, farms, lands, and hereditaments, of greater value, situate in the county of *Dorset*, in lieu thereof.

135. An act for appointing trustees for carrying into execution certain trusts and powers contained in the will of the late sir *Henry Houghton* baronet, in the room of *Samuel Fenton* merchant, and *Thomas Fenton* esquire, the trustees therein named, who departed this life, in the life-time of the said sir *Henry Houghton*, and for enabling the faid trustees to exchange part of the lands thereby devised for lands of which sir *Henry Philip Houghton*, or *Daniel Houghton*, or either of them, are or is seised in fee simple, and for enabling the tenants for life, under the said will, to make conveyances in fee, and leases for long terms of years, for the purpose of building.

136. An act for dividing, allotting, and enclosing, the open common fields, commons, and waste lands within the parish of *Horton*, in the county of *Gloucester*.

137. An act for dividing and enclosing the open and common fields, common meadows, common pastures, and other commonable lands and waste grounds, in the parish of *Weston*, in the county of *Hertford*.

138. An act for dividing, allotting, and enclosing, the open common fields, commons, and waste grounds, within the manor and township of *Hillam*, in the parish of *Monk Frystone*, in the west riding of the county of *York*.

139. An act for dividing and enclosing the open and common fields, meadows, and pastures, of and within the manor and parish of *Adstock*, in the county of *Buckingham*.

140. An act for dividing, allotting, and enclosing, the open and common fields, common meadows, common pastures, and other commonable and waste lands, in the parish of *Drayton Parfslow*, in the county of *Buckingham*.

141. An act for dividing and enclosing the common and open fields, meadows, commonable lands, and waste grounds, in *Rounds*, in the county of *Northampton*.

142. An act for dividing and enclosing the open and common fields, common pastures, and other commonable lands and waste grounds in the parish of *King's Walden*, in the county of *Herford*.

143. An act for dividing, allotting, and enclosing, or stinting, certain open common fields, ing lands, commons, and commonable places, within the parish of *Bolton Percy*, in the county of the city of *York*.

144. An act for dividing, allotting, and enclosing, the open and common fields, common meadows, common marshes, heaths, wastes,

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wastes, and commonable woods, lands, and grounds, within the parish of *Croydon*, in the county of *Surrey*.

145. An act for dividing, allotting, and enclosing, the open and common fields, common meadows, common pastures, and other commonable lands and grounds, within the parish of *Greatford*, in the county of *Lincoln*.

146. An act for dividing, allotting, and enclosing, certain open and intermixed lands and grounds within the township of *Pontefract*, in the west riding of the county of *York*, and making compensation for the great tithes of the said lands, and other lands in the townships of *Pontefract*, *Tanfield*, and *Carlton*, within the parish of *Pontefract*, and also for the vicarial tythes of the said parish.

147. An act for dividing and allotting the open and commonable lands and grounds within the several parishes of *Great Chiverell* and *Little Chiverell*, in the county of *Wilts*.

148. An act for dividing and enclosing certain open and common fields, meadows, lands, commons, and commonable places, within the parish of *Eynebury*, in the county of *Huntingdon*.

149. An act to dissolve the marriage of *Sidenham Teast* merchant, with *Eleanor Buckle*, his now wife, and to enable him to marry again, and for other purposes therein mentioned.

150. An act for naturalizing *Nicholas Dubois De Chemant*.

151. An act for vesting in a new trustee the sum of forty thousand pounds given by a codicil annexed to the will of *John Tempest* esquire, to *Farrer Wren*, and *Robert Shafte*, esquires, upon certain trusts in the said codicil mentioned.

END OF THE TABLES.



THE

STATUTES at Large, &c.

*Anno regni GEORGII III. Regis, Magnæ
Britanniae, Franciæ, & Hiberniæ, tri-
cejmo septimo.*

AT the parliament begun and holden at Westminster, the twelfth day of July, Anno Domini 1796, in the thirty-sixth year of the reign of our Sovereign Lord GEORGE the Third, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c. And from thence continued, by several prorogations, to the twenty-seventh day of September 1796; being the first session of the eighteenth parliament of Great Britain.

C A P. I.

An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and ninety-seven.—[Nov. 2, 1796.]

C A P. II.

An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and ninety-seven.—[November 2, 1796.]

Four shillings in the pound. In England to raise 1,989,673l. 7s. 1d. 1q.
In Scotland 47,954l. 18. 2d.—Total 2,037,627l. 9s. od. 1q.

C A P. III.

An act for providing an augmentation to the militia, to be trained and exercised in the manner therein directed; and for enabling his Majesty to cause the same to be embodied, in case of necessity, for the defence of these kingdoms.—[November 11, 1796.]

Preamble.
26 Geo. 3.
c. 107.

34 Geo. 3.
c. 16.

WHEREAS, by an act passed in the twenty-sixth year of the reign of his present Majesty, intituled, An act for amending and reducing into one act of parliament, the laws relating to the militia in that part of Great Britain called England, a certain number of men are directed to be raised in the several counties, ridings, and places in England, to serve in the militia; and by another act, passed in the thirty-fourth year of the reign of his said Majesty, intituled, An act for augmenting the militia, the several regiments, battalions, and companies of militia, have been augmented by such numbers of volunteers as his Majesty hath, under the authority of the said last-mentioned act, thought proper from time to time to add thereto: and whereas, in order to prevent or repel any attempt which the enemies of the country may make to effect a descent upon this kingdom, it is expedient to augment the militia forces in such manner, and to provide that such augmentation may be trained, and exercised to arms, without delay, and embodied in case of emergency: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority

Lieutenants of counties appointed by virtue of the first recited act to carry this into execution: That his Majesty's lieutenants, constituted and appointed by virtue of the said act of the twenty-sixth year aforesaid, for the counties, ridings, and places, herein-after mentioned, shall respectively have full power and authority, and are hereby required to call together, arm, array, and cause to be trained and exercised, such persons, and in such manner, as is herein-after directed; and the said lieutenants shall also have, and are hereby vested with full power and authority, to carry this act into execution, and to appoint a proper number of officers acting with the regiment, battalion, or company, raised by virtue of either of the said acts of the twenty-sixth and thirty-fourth years aforesaid, for such county or riding, or such other proper persons as are duly qualified and approved of, according to the directions of the said former acts, or this act, or such other persons as are herein-after described, to be officers of militia, to train, discipline, and command the persons so to be armed and arrayed, according to the rules, orders, and directions herein-after mentioned, and to do all other acts, matters, and things necessary for carrying this act into execution, in like manner, and as fully, and effectually, as they are authorised to carry into execution the said former acts, or any of them; and that in the absence of any lieutenant, or where there shall be no lieutenant, the deputy lieutenants, duly authorised by his Majesty, may act in all things touching the execution of this act, as they might do in the execution of the said former acts.

In their absence deputy lieutenants may act.

If a sufficient number of qualified persons cannot be found, officers in the army, who have d from

II. Provided always, and be it further enacted, That if a sufficient number of officers acting with the regiment, battalion, or company, raised by virtue of the said former acts, for the county, riding, or place, or of persons qualified as aforesaid, cannot be found to accept of commissions in the supplementary militia to be raised by virtue of this act, it shall be lawful for the said lieutenants and deputy

deputy lieutenants respectively, to appoint for that service, such the army or a number of the officers in the army, whether on full or on half pay, or of persons who have had commissions in any of his Majesty's forces, or in the militia, and have retired therefrom, as though not qualified. his Majesty shall approve, although not duly qualified as aforesaid; such officers not to be appointed, on their first appointment, to any higher rank in the said supplementary militia, than they respectively have, or have had, in his Majesty's other forces or in the militia.

III. And be it further enacted, That the number of private men to be raised by virtue of this act shall be as follows; (that is to say),

Number of
private men
to be as fol-
lows,

For the county of *Bedford*, two hundred and fifty-four.

For the county of *Berks*, seven hundred and forty-nine.

For the county of *Bucks*, six hundred and sixty-two.

For the county of *Cambridge*, six hundred and forty-six.

For the county of *Chester*, with the city and county of the city of *Chester*, one thousand four hundred and sixty.

For the county of *Cornwall*, eight hundred and twenty-eight.

For the county of *Cumberland*, one thousand one hundred and eighty.

For the county of *Derby*, one thousand six hundred and fifty-six.

For the county of *Devon*, with the city and county of the city of *Exeter*, one thousand six hundred and ninety-four.

For the county of *Dorset*, with the town and county of the town of *Poole*, one hundred and eighty-five.

For the county of *Durham*, eight hundred.

For the county of *Essex*, one thousand seven hundred and fifty-six.

For the county of *Gloucester*, with the city and county of the city of *Gloucester*, and the city and county of the city of *Bristol*, one thousand seven hundred and fifty-seven.

For the county of *Hereford*, six hundred and sixty-two.

For the county of *Hertford*, five hundred.

For the county of *Huntingdon*, none.

For the county of *Kent*, with the city and county of the city of *Canterbury*, one thousand eight hundred and seventy-three.

For the county of *Lancaster*, five thousand one hundred and sixty.

For the county of *Leicester*, nine hundred and twenty-eight.

For the county of *Lincoln*, with the city and county of the city of *Lincoln*, two thousand one hundred and forty.

For the county of *Middlesex* (exclusive of the *Tower* division, commonly called *The Tower Hamlets*,) five thousand eight hundred and twenty.

For the county of *Monmouth*, three hundred and sixty.

For the county of *Norfolk*, with the city and county of the city of *Norwich*, one thousand nine hundred and ninety-two.

For the county of *Northampton*, one thousand one hundred and twenty-eight.

For the county of *Northumberland*, with the town and county of the town of *Newcastle upon Tyne*, and the town of *Berwick upon Tweed*, eight hundred and twenty-four.

For

Preamble.
26 Geo. 3.
c. 107.

34 Geo. 3.
c. 16.

WHEREAS, by an act passed in the twenty-sixth year of the reign of his present Majesty, intituled, An act for amending and reducing into one act of parliament, the laws relating to the militia in that part of Great Britain called England, a certain number of men are directed to be raised in the several counties, ridings, and places in England, to serve in the militia; and by another act, passed in the thirty-fourth year of the reign of his said Majesty, intituled, An act for augmenting the militia, the several regiments, battalions, and companies of militia, have been augmented by such numbers of volunteers as his Majesty hath, under the authority of the said last-mentioned act, thought proper from time to time to add thereto: and whereas, in order to prevent or repel any attempt which the enemies of the country may make to effect a descent upon this kingdom, it is expedient to augment the militia forces in such manner, and to provide that such augmentation may be trained, and exercised to arms, without delay, and embodied in case of emergency: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority

Lieutenants of the same, That his Majesty's lieutenants, constituted and appointed by virtue of the said act of the twenty-sixth year aforesaid, for the counties, ridings, and places, herein-after mentioned, shall respectively have full power and authority, and are hereby required to call together, arm, array, and cause to be trained and exercised, such persons, and in such manner, as is herein-after directed; and the said lieutenants shall also have, and are hereby vested with full power and authority, to carry this act into execution, and to appoint a proper number of officers acting with the regiment, battalion, or company, raised by virtue of either of the said acts of the twenty-sixth and thirty-fourth years aforesaid, for such county or riding, or such other proper persons as are duly qualified and approved of, according to the directions of the said former acts, or this act, or such other persons as are herein-after described, to be officers of militia, to train, discipline, and command the persons so to be armed and arrayed, according to the rules, orders, and directions herein-after mentioned, and to do all other acts, matters, and things necessary for carrying this act into execution, in like manner, and as fully, and effectually, as they are authorised to carry into execution the said former acts, or any of them; and that in the absence of any lieutenant, or where there shall be no lieutenant, the deputy lieutenants, duly authorised by his Majesty, may act in all things touching the execution of this act, as they might do in the execution of the said former acts.

In their absence deputy lieutenants may act.

If a sufficient number of qualified persons cannot be found, officers in the army, or who have retired from

II. Provided always, and be it further enacted, That if a sufficient number of officers acting with the regiment, battalion, or company, raised by virtue of the said former acts, for the county, riding, or place, or of persons qualified as aforesaid, cannot be found to accept of commissions in the supplementary militia to be raised by virtue of this act, it shall be lawful for the said lieutenants and deputy

deputy lieutenants respectively, to appoint for that service, such a number of the officers in the army, whether on full or on half pay, or of persons who have had commissions in any of his Majesty's forces, or in the militia, and have retired therefrom, as his Majesty shall approve, although not duly qualified as aforesaid; such officers not to be appointed, on their first appointment, to any higher rank in the said supplementary militia, than they respectively have, or have had, in his Majesty's other forces or in the militia.

III. And be it further enacted, That the number of private men to be raised by virtue of this act shall be as follows; (that is to say),

	Number of private men to be as fol- lows,
For the county of <i>Bedford</i> , two hundred and fifty-four.	
For the county of <i>Berks</i> , seven hundred and forty-nine.	
For the county of <i>Bucks</i> , six hundred and sixty-two.	
For the county of <i>Cambridge</i> , six hundred and forty-six.	
For the county of <i>Chester</i> , with the city and county of the city of <i>Chester</i> , one thousand four hundred and sixty.	
For the county of <i>Cornwall</i> , eight hundred and twenty-eight.	
For the county of <i>Cumberland</i> , one thousand one hundred and eighty.	
For the county of <i>Derby</i> , one thousand six hundred and fifty-six.	
For the county of <i>Devon</i> , with the city and county of the city of <i>Exeter</i> , one thousand six hundred and ninety-four.	
For the county of <i>Dorset</i> , with the town and county of the town of <i>Poole</i> , one hundred and eighty-five.	
For the county of <i>Durham</i> , eight hundred.	
For the county of <i>Essex</i> , one thousand seven hundred and fifty-six.	
For the county of <i>Gloucester</i> , with the city and county of the city of <i>Gloucester</i> , and the city and county of the city of <i>Bristol</i> , one thousand seven hundred and fifty-seven.	
For the county of <i>Hereford</i> , six hundred and sixty-two.	
For the county of <i>Hertford</i> , five hundred.	
For the county of <i>Huntingdon</i> , none.	
For the county of <i>Kent</i> , with the city and county of the city of <i>Canterbury</i> , one thousand eight hundred and seventy-three.	
For the county of <i>Lancaster</i> , five thousand one hundred and sixty.	
For the county of <i>Leicester</i> , nine hundred and twenty-eight.	
For the county of <i>Lincoln</i> , with the city and county of the city of <i>Lincoln</i> , two thousand one hundred and forty.	
For the county of <i>Middlesex</i> (exclusive of the <i>Tower</i> division, commonly called <i>The Tower Hamlets</i> ,) five thousand eight hundred and twenty.	
For the county of <i>Monmouth</i> , three hundred and sixty.	
For the county of <i>Norfolk</i> , with the city and county of the city of <i>Norwich</i> , one thousand nine hundred and ninety-two.	
For the county of <i>Northampton</i> , one thousand one hundred and twenty-eight.	
For the county of <i>Northumberland</i> , with the town and county of the town of <i>Newcastle upon Tyne</i> , and the town of <i>Berwick upon Tweed</i> , eight hundred and twenty-four.	

Anno regni tricesimo septimo GEORGII III. c. 3. [1796.]

For the county of *Nottingham*, with the town and county of the town of *Nottingham*, eight hundred and ninety-six.

For the county of *Oxford*, eight hundred and fifty-two.

For the county of *Rutland*, eighty.

For the county of *Salop*, one thousand five hundred and fifty-eight.

For the county of *Somerset*, two thousand nine hundred and sixty.

For the county of *Southampton*, with the town and county of the town of *Southampton*, eight hundred and forty-seven.

For the county of *Stafford*, with the city and county of the city of *Litchfield*, two thousand and ninety-five.

For the county of *Suffolk*, one thousand four hundred and seventy.

For the county of *Surrey*, two thousand four hundred and sixty.

For the county of *Sussex*, one thousand one hundred and sixty.

For the county of *Warwick*, with the city and county of the city of *Coventry*, (but exclusive of *Birmingham*,) nine hundred.

For the county of *Westmoreland*, three hundred and fifty.

For the county of *Worcester*, with the city and county of the city of *Worcester*, eight hundred and twenty-five.

For the county of *Wiltshire*, one thousand and forty-nine.

For the west riding of the county of *York*, with the city and county of the city of *York*, four thousand six hundred and ninety-four.

For the north riding of the said county, one thousand three hundred and sixty.

For the east riding of the said county, with the town and county of the town of *Kingston upon Hull*, eight hundred and sixty-one.

For the county of *Anglesea*, three hundred and twenty.

For the county of *Brecon*, three hundred and forty.

For the county of *Cardigan*, four hundred and seventy-four.

For the county of *Carmarthen*, with the county borough of *Carmarthen*, seven hundred and ninety.

For the county of *Carnarvon*, one hundred and seventy-six.

For the county of *Denbigh*, four hundred and twenty.

For the county of *Flint*, three hundred and eleven.

For the county of *Glamorgan*, six hundred and twenty-two.

For the county of *Merioneth*, one hundred and seventy-four.

For the county of *Montgomery*, two hundred and fifty-nine.

For the county of *Pembroke*, with the town and county of the town of *Haverford West*, three hundred and thirty-one.

And for the county of *Radnor*, two hundred and twenty.

At meetings
in pursuance
of the first
recited act
the county
lieutenants,
&c. to carry
this into exec-
ution as that
act, except
where hereby
ed.

IV. And be it further enacted, That at the several meetings of the lieutenants and deputy lieutenants of every county, riding, and place, which shall be holden in pursuance of the said act of the twenty-sixth year aforesaid, at any time after the passing of this act, or at any special meetings to be held for the purpose, if necessary, the lieutenants and deputy lieutenants there respectively attending, and also the justices of the peace of the same county, riding, or place, shall carry this act into execution, in like manner as they are directed to carry into execution the said act, except

cept where any alteration is made by this act; and that at the first sub-division meeting of deputy lieutenants, held within their respective sub-divisions, after the passing of this act, at which a return of the lists of men liable to be ballotted into the militia, by virtue of the said former acts, shall have been, or shall be then made, the deputy lieutenants there attending, shall cause a duplicate of such lists to be made out, and after hearing appeals against the same, shall direct the duplicate of such lists to be amended as the case shall require, and in such manner that the names of all persons liable to be ballotted for by virtue of this act to serve in the supplementary militia, hereby directed to be raised, shall be inserted therein, and shall also direct the names of all persons by this act respectively excepted from so serving, to be struck out of the duplicate of the said list; and shall appoint the times and places for their second meetings, within their respective sub-divisions; and shall return to the clerk of the general meetings, for the use of the said general meetings, certificates, under their hands, of the number of men in each parish, tything, or place, specified in the duplicate of the list so amended, and the same shall be filed by the clerk for the use of the general meetings, and which general meetings are empowered to alter the same, in like manner as they may do under the said act of the twenty-sixth year aforesaid.

V. And be it further enacted, That a general meeting of lieutenancy shall be held in each county, riding, or place, as soon after such first sub-division meeting as may be, and before the time appointed for the second sub-division meeting; and at such general meeting the lieutenant and deputy lieutenants, or such of them as shall be present at such meeting, shall appoint the number of men to serve in pursuance of this act for each hundred, rape, lath, wapentate, or other division, within such county, riding, or place, according to the numbers contained in the certificates received from the several sub-division meetings, in such manner as they are authorised to do by the said act of the twenty-sixth year aforesaid.

VI. And be it further enacted, That the deputy lieutenants, assembled at their said second meeting held after the passing of this act, within any sub-division as aforesaid, shall appoint what number of men shall serve for each parish, tything, and place, within such sub-division, in proportion to the number appointed to serve for each hundred, rape, lath, wapentate, or other division; and shall appoint another meeting to be holden as soon as conveniently may be, and within three weeks from the day on which such meeting was holden, within the same sub-division; and shall issue out an order to the chief constables, or other officers of the respective hundreds, rapes, laths, wapentakes, or other divisions, requiring them to give notice to the constable, tythingman, headborough, or other officer of every parish, tything, or place, within their respective hundreds, rapes, laths, wapentakes, or other divisions, of the number of men, so appointed to serve for such parish, tything, or place, and of the time and place of the next sub-division meeting; and the said

At the first sub-division meeting at which a return of men liable to be ballotted by virtue of the former acts shall be made, a duplicate of the list shall be made, in which the names of persons liable to be ballotted for under this act, shall be inserted, &c.

A general meeting of lieutenancy to be held as soon as may be after the first sub-division meetings, at which the men to serve for the county in pursuance of this act shall be ap-

Orders to be issued to the chief constables to give notice to the constable of each parish of the number so appointed, and of the next sub-division

Anno regni tricesimo septimo GEORGII III. c. 3. [1796.]

For the county of *Nottingham*, with the town and county of the town of *Nottingham*, eight hundred and ninety-six.

For the county of *Oxford*, eight hundred and fifty-two.

For the county of *Rutland*, eighty.

For the county of *Salop*, one thousand five hundred and fifty-eight.

For the county of *Somerset*, two thousand nine hundred and sixty.

For the county of *Southampton*, with the town and county of the town of *Southampton*, eight hundred and forty-seven.

For the county of *Stafford*, with the city and county of the city of *Litchfield*, two thousand and ninety-five.

For the county of *Suffolk*, one thousand four hundred and seventy.

For the county of *Surrey*, two thousand four hundred and sixty.

For the county of *Sussex*, one thousand one hundred and sixty.

For the county of *Warwick*, with the city and county of the city of *Coventry*, (but exclusive of *Birmingham*,) nine hundred.

For the county of *Westmoreland*, three hundred and fifty.

For the county of *Worcester*, with the city and county of the city of *Worcester*, eight hundred and twenty-five.

For the county of *Wiltshire*, one thousand and forty-nine.

For the west riding of the county of *York*, with the city and county of the city of *York*, four thousand six hundred and ninety-four.

For the north riding of the said county, one thousand three hundred and sixty.

For the east riding of the said county, with the town and county of the town of *Kingston upon Hull*, eight hundred and sixty-one.

For the county of *Anglesea*, three hundred and twenty.

For the county of *Brecon*, three hundred and forty.

For the county of *Cardigan*, four hundred and seventy-four.

For the county of *Carmarthen*, with the county borough of *Carmarthen*, seven hundred and ninety.

For the county of *Carnarvon*, one hundred and seventy-six.

For the county of *Denbigh*, four hundred and twenty.

For the county of *Flint*, three hundred and eleven.

For the county of *Glamorgan*, six hundred and twenty-two.

For the county of *Merioneth*, one hundred and seventy-four.

For the county of *Montgomery*, two hundred and fifty-nine.

For the county of *Pembroke*, with the town and county of the town of *Haverford West*, three hundred and thirty-one.

And for the county of *Radnor*, two hundred and twenty.

At meetings in pursuance of the first recited act the county lieutenants, &c. to carry this into execution as that act, except where hereby altered.

IV. And be it further enacted, That at the several meetings of the lieutenants and deputy lieutenants of every county, riding, and place, which shall be holden in pursuance of the said act of the twenty-sixth year aforesaid, at any time after the passing of this act, or at any special meetings to be held for the purpose, if necessary, the lieutenants and deputy lieutenants there respectively attending, and also the justices of the peace of the same county, riding, or place, shall carry this act into execution, in like manner as they are directed to carry into execution the said act, except

cept where any alteration is made by this act; and that at the first sub-division meeting of deputy lieutenants, held within their respective sub-divisions, after the passing of this act, at which a return of the lists of men liable to be ballotted into the militia, by virtue of the said former acts, shall have been, or shall be then made, the deputy lieutenants there attending, shall cause a duplicate of such lists to be made out, and after hearing appeals against the same, shall direct the duplicate of such lists to be amended as the case shall require, and in such manner that the names of all persons liable to be ballotted for by virtue of this act to serve in the supplementary militia, hereby directed to be raised, shall be inserted therein, and shall also direct the names of all persons by this act respectively excepted from so serving, to be struck out of the duplicate of the said list; and shall appoint the times and places for their second meetings, within their respective sub-divisions; and shall return to the clerk of the general meetings, for the use of the said general meetings, certificates, under their hands, of the number of men in each parish, tything, or place, specified in the duplicate of the list so amended, and the same shall be filed by the clerk for the use of the general meetings, and which general meetings are empowered to alter the same, in like manner as they may do under the said act of the twenty-sixth year aforesaid.

V. And be it further enacted, That a general meeting of lieutenancy shall be held in each county, riding, or place, as soon after such first sub-division meeting as may be, and before the time appointed for the second sub-division meeting; and at such general meeting the lieutenant and deputy lieutenants, or such of them as shall be present at such meeting, shall appoint the number of men to serve in pursuance of this act for each hundred, rape, lath, wapentate, or other division, within such county, riding, or place, according to the numbers contained in the certificates received from the several sub-division meetings, in such manner as they are authorised to do by the said act of the twenty-sixth year aforesaid.

VI. And be it further enacted, That the deputy lieutenants, assembled at their said second meeting held after the passing of this act, within any sub-division as aforesaid, shall appoint what number of men shall serve for each parish, tything, and place, within such sub-division, in proportion to the number appointed to serve for each hundred, rape, lath, wapentate, or other division; and shall appoint another meeting to be holden as soon as conveniently may be, and within three weeks from the day on which such meeting was holden, within the same sub-division; and shall issue out an order to the chief constables, or other officers of the respective hundreds, rapes, laths, wapentakes, or other divisions, requiring them to give notice to the constable, tythingman, headborough, or other officer of every parish, tything, or place, within their respective hundreds, rapes, laths, wapentakes, or other divisions, of the number of men, so appointed to serve for such parish, tything, or place, and of the time and place of the next sub-division meeting; and the said

At the first sub-division meeting at which a return of men liable to be ballotted by virtue of the former acts shall be made, a duplicate of the list shall be made, in which the names of persons liable to be ballotted for under this act, shall be inserted, &c.

A general meeting of lieutenancy to be held as soon as may be after the first sub-division meeting, at which the number of men to serve for the county in pursuance of this act shall be appointed.

At the second sub-division meeting the number of men to serve for each parish shall be appointed, and also another meeting.

Orders to be issued to the chief constables to give notice to the constable of each parish of the number so appointed, and of the next sub-division.

meeting, at which they shall be chosen by ballot out of the duplicate of the list and another meeting appointed, and order issued to the chief constable to direct the constable to give notice to the men so chosen to appear therat.

Constable to make a return upon oath at the meeting; and persons chosen to take the following oath:

deputy lieutenants, or any two or more of them, assembled in pursuance of such appointment, shall cause the number of men appointed to serve as aforesaid, to be chosen by ballot out of the duplicate of the list returned for every parish, tything, or place aforesaid, and amended, where occasion requires, according to the directions of this act, and shall appoint another meeting to be holden, as soon as conveniently may be, and within three weeks, in the same sub-division; and shall issue out an order to the chief constables, or other officers of the respective hundreds, rapes, laths, wapentakes, or other divisions, to direct the constable, tythingman, headborough, or other officer of every parish, tything, or place, to give notice to every man so chosen to serve in the supplementary militia, to be raised by virtue of this act, to appear at such meeting, which notice shall be given or left at his place of abode; at least seven days before such meeting; and such constable, tythingman, headborough, or other officer shall attend such meeting, and make a return upon oath of the days when such notice was served; and every person so chosen by ballot shall, upon such notice, appear at such meeting, and there take the following oath; (that is to say),

'I A. B. do sincerely promise and swear, That I will be faithful, and bear true allegiance to his majesty King George; and I do swear, that I am a Protestant, and that I will faithfully serve in the militia, within the kingdom of Great Britain, for the defence of the same, during the present war, and for the space of one calendar month after the end thereof.'

and to be enrolled.

And every such person shall be enrolled (in a roll to be then and there prepared for that purpose) to serve in the militia of such county, riding, or place, as a private militia man, during the present war, and for the space of one calendar month after the end thereof.

Persons chosen may find substitutes of the same county, who, if approved, shall be enrolled and sworn.

VII. Provided always, That if any person so chosen by ballot shall produce for his substitute, a man of the same county, able and fit for service, and who shall be approved by the said deputy lieutenants, or any two or more of them, such substitute, so produced and approved, shall be enrolled to serve in the said supplementary militia of such county, riding, or place, as a private militia man, for such term as the person for whom he shall be a substitute shall have been chosen to serve, and such substitute shall take the oath before-mentioned; and any person so chosen by ballot, for whom such substitute shall have been so produced, approved, enrolled, and sworn as aforesaid, shall not be again ballotted for in pursuance of this act.

Substitute not to be objected to on account of the number of his children.

Persons chosen and enrolled

VIII. Provided always, and be it further enacted, That such deputy lieutenants shall not reject any person so produced as a substitute for or on account of the number of his children; any number of his children in any former act contained to the contrary notwithstanding.

IX. Provided also, and be it further enacted, That if any person, so chosen by ballot, who shall have been enrolled in the said

said supplementary militia, shall at any time, during the continu- producing substitutes
ance of this act, produce for his substitute any person of the de- who shall be
scription before-mentioned, who shall be approved by the com- approved by
manding officer of the militia now serving for the county, riding, the command-
or place, where such person was so chosen, it shall and may be ing officer,
lawful for such commanding officer to cause such substitute to be entitled to their
enrolled to serve in the said supplementary militia of such county, discharge.
riding, or place, in lieu of the person so chosen by ballot, which enrolment shall be made in the manner before directed; and that upon the enrolment of such substitute as aforesaid, the person so chosen by ballot shall be entitled to his immediate discharge.

X. And be it further enacted, That it shall and may be lawful Persons may
for any person or persons to provide volunteers to serve in the provide vo-
said supplementary militia, for any sub-division within any county, lunteers pre-
riding, or place, and to produce such volunteers before any deputy vious to the
lieutenants or justices of the peace of the same sub-division, at meeting for
any time previous to the day appointed for choosing the men by choosing men
ballot to serve for such sub-division, or the said supplementary by ballot, or
militia, in pursuance of this act, or for any persons willing to persons may
serve therein, to offer themselves to serve in the said supplemen- offer them-
tary militia for any such sub-division, and to appear before any selves to serve
such deputy lieutenant or justice of the peace within such time in the supple-
and at such place as aforesaid; and every person so produced, or mentary mi-
appearing, who shall be approved of by the said deputy lieutenant litia, who may
or any justice of the peace as aforesaid, may be enrolled to serve be enrolled
in the said supplementary militia as a private man during the and sworn.
present war, and for the space of one calendar month after the
end thereof, and shall take the oath herein-before prescribed; and
such deputy lieutenants and justices of the peace respectively be-
fore whom any such volunteers shall be enrolled, shall cause the
clerks of the meetings for the respective sub-divisions to enroll
the names of all such volunteers in such manner as they are
required to enroll the names of persons chosen by ballot; and the
names of all such volunteers shall be so enrolled within their re-
spective sub-divisions before the time appointed for balloting the
men within the same.

XI. And be it further enacted, That if the number of volun- If the volun-
teers enrolled by virtue of this act in any sub-division, before the teers so enrol-
time appointed for taking the ballot as before directed, shall not led shall not
amount to two third parts of the whole number of men appointed amount to
to be raised within such sub-division, the deputy lieutenants shall, two thirds
at the time and place before appointed, proceed to ballot for such of the whole
number of men only as shall be then wanted to make up the whole number to be
number to serve for such sub-division, making a fresh appoint- raised for the
ment of the number of men to be raised for the respective parishes sub-division,
and places in such sub-division, according to the number then the deputy
wanted as aforesaid; and that if the number of volunteers who shall lieutenants
have been then enrolled, shall amount to or exceed such two third shall at the
parts, then the said deputy lieutenants may suspend the ballot time appoint-
appointed to be taken, for any space of time not exceeding five ed ballot for
days, (of which, like notice shall be given as is herein-before the remainder
directed), and they shall forthwith transmit an account of the of the whole,
number to that number, the ballot may be suspended

for five days, and an account of the volunteers enrolled sent to the county lieutenant, who shall transmit it to the privy council, who may direct a further suspension, in order to complete the quota by volunteers; and if not compleated in that time, the deputy lieutenants shall proceed to ballot for the number wanted; and if compleated, shall transmit an account to the lieutenant to be sent to the privy council.

No person exempted from being chosen by ballot by reason of his enrolment in any volunteer corps, or acting as game-keeper, shall be admitted as a volunteer under this act. Overseers giving to volunteers not more than four guineas, may reimburse themselves out of the poor rates.

If the number of men for any sub-division shall not be enrolled at the appointed meeting, the

number of volunteers so enrolled, to the lieutenant of the county, riding, or place, who shall transmit the same, without delay, to his Majesty's privy council; and it shall and may be lawful for his Majesty's privy council, on the transmission of such account, to direct a further suspension of the said ballot for such time as shall be deemed expedient, in order to give a reasonable opportunity to complete the quota of such sub-division by the enrolment of volunteers; and in such case it shall be lawful for the deputy lieutenants and justices of the peace, acting for such sub-division, within the time allowed by his Majesty's privy council, to enroll such further number of men as volunteers in the said supplementary militia, as shall be wanting to complete the quota of men to be raised for such sub-division, in the manner before directed: provided always, That if at the expiration of the time allowed by his Majesty's privy council, the whole number of men to be raised for such sub-division shall not have been enrolled, the deputy lieutenants, without further delay, shall proceed to ballot for the number of men then wanted to make up such number, making a fresh appointment of the number of men to be raised for each parish or place, according to the numbers then wanted as aforesaid; but if at the end of the time so allowed, the whole number of men to be so raised for such sub-division shall be completed, then the deputy lieutenants shall transmit an account thereof to the lieutenant of the said county or place, who shall transmit the same to his Majesty's privy council; and in such case no ballot shall take place for such sub-division.

XII. Provided always, and be it further enacted, That no person entitled to be exempted from being chosen by ballot to serve in the said supplementary militia, by virtue of this act, by reason of his enrolment in any volunteer corps herein-after mentioned, or by reason of his being or acting as game-keeper to any lord or lady of a manor, who shall be enrolled to serve according to the directions of any act to be passed in this session of parliament, shall be admitted into or enrolled in the said supplementary militia as a volunteer, under the provisions of this act.

XIII. And be it further enacted, That if any overseer of the poor of any parish or place, shall give to any volunteer or volunteer enrolled in the said supplementary militia in the manner before directed, any sum of money not exceeding four pounds four shillings each to serve in the said supplementary militia for such parish or place, it shall be lawful for such overseers to reimburse themselves out of any monies of the rates then raised, or to be reimbursed out of any monies thereafter to be raised for the relief of the poor, in such manner as they may reimburse themselves, or be reimbursed for any monies by them expended in matters relating to the poor.

XIV. And be it further enacted, That if, through the neglect or mistake of any chief constables, constables, or other officers, or from any other cause, the full number of men appointed for any sub-division should not be duly enrolled at the meeting appointed for that purpose, as before directed, then the deputy lieutenants

lieutenants at their said meeting, or any two or more of them, deputy lieutenants may, and they are hereby required immediately to cause the lists to be amended, and to proceed to a fresh ballot, and to adjourn their meeting, or appoint other meetings, and repeat the amending of the lists as may be necessary and expedient for carrying the purposes of this act duly and fully into execution; and it shall be lawful for any one deputy lieutenant, or justice of the peace, to administer the oath herein-before required to be taken by persons to serve in the said supplementary militia to any person ballotted, or to any person offering as a volunteer, under the directions of this act, or to any person who shall offer to serve as a substitute, and such deputy lieutenant, or justice of the peace, is hereby authorised to direct and require the clerk of the subdivision for which every such person, by whom the said oath has been before him taken, is to serve, to enroll the name of every such person, together with the date of the day on which the said oath was so administered to him, in the roll of such subdivision.

XV. And be it further enacted, That nothing herein contained shall be construed in any manner to impede or delay the levying of men who ought to be raised from time to time to complete the militia now embodied, or to vary the manner of proceeding therein according to the directions of the said act of the twenty-sixth year aforesaid; but that all such levies shall be effected in like manner as if this act had not been passed.

XVI. And be it further enacted, That if any person chosen by ballot, according to the directions of this act, to serve in the said supplementary militia; (not being one of the people called Quakers) shall refuse or neglect to appear, and take the said oath, and serve in the militia, or to provide a substitute, to be approved as aforesaid, who shall take the said oath, and sign his consent to serve as his substitute, every such person so refusing or neglecting shall forfeit and pay the sum of fifteen pounds, and whenever any ballot shall take place in the same parish or place, under the authority of this act, be liable to serve again, or provide a substitute; and in default of payment of such penalty, or for want of sufficient effects whereon to levy the same, the name of such person shall be entered on the roll, and such person shall be delivered over to some proper officer of the regiment, battalion, or independent company, for which he was ballotted, and shall be compelled to serve in like manner as any other person who should be then ballotted for would be compellable to serve, and shall be subject to the same punishments for afterwards absconding or deserting, as he would have been subject to in case he had appeared, and been duly sworn and enrolled as a militia man.

XVII. Provided always, That the powers contained in the said act of the twenty-sixth year aforesaid, with respect to the people called Quakers, shall be carried into execution in the levying of men to be raised by virtue of this act, as fully and amply as if the same had been repeated and enacted in the body of this act.

XVIII. Provided always, and be it further enacted, That no certain persons exempted

from service
in the supple-
mentary mi-
litia.

person who shall serve as a commissioned officer in any regiment, troop, or company, in his Majesty's other forces, or militia now embodied, or in any corps of volunteers raised by virtue of an act passed in the thirty-fourth year of the reign of his present Majesty, intituled, *An act for encouraging and disciplining such corps or companies of men as shall voluntarily enroll themselves for the defence of their counties, towns, or coasts, or for the general defence of the kingdom, during the present war*, and who shall have been duly entered therein, on or before the twentieth day of October one thousand seven hundred and ninety-six, or in any one of his Majesty's castles or forts, nor any non-commisioned officer, or private man, serving in any of his Majesty's other forces, or militia, or in any such volunteer corps as aforesaid, or who shall have offered themselves and been accepted to serve upon vacancies which shall have happened on or before the said twentieth day of October one thousand seven hundred and ninety-six, nor any person being a resident member of either of the universities, nor any clergyman, nor any licensed teacher of any separate congregation, nor any constable, or other peace officer, nor any person being and having been, on or before the twentieth day of October one thousand seven hundred and ninety-six, an articled clerk, apprentice, seaman, or seafaring man, nor any person mustered, trained, and doing duty, or employed in any of his Majesty's docks or dock yards, for the service thereof, or employed and mustered in his Majesty's service in the tower of London, Woolwich Warren, the several gun wharfs, or at the several powder mills, powder magazines, or other store houses, belonging to his Majesty, under the direction of the board of ordnance, nor any person being free of the company of watermen of the river Thames, nor any poor man having more than three children born in lawful wedlock under ten years of age, or infirm, nor any gamekeeper who shall cause himself to be enrolled to serve according to the directions of any act to be passed in this session of parliament, nor any person who has served personally or by substitute in the militia raised by virtue of the said former acts, shall be liable to serve personally, or provide a substitute to serve in the militia, to be raised by virtue of this act; but no person who has served in any of his Majesty's forces, or in any volunteer corps before-mentioned, or as a substitute in the militia raised by virtue of the said former acts, or of this act, and hath been discharged, or quitted the same, shall by such service be exempted from serving in the militia to be raised by virtue of this act, if he shall be chosen by ballot.

Deputy lieu-
tenants to dis-
charge unfit
persons chosen
by ballot, and
cause others
to be chosen.

XIX. And be it further enacted, That whenever it shall appear to any two or more deputy lieutenants, assembled at any sub-division meeting, that any person chosen by ballot to serve in the said supplementary militia, is unable by reason of any infirmity, or is otherwise unfit for the service, such deputy lieutenants shall, and are hereby empowered and required to discharge such person, and immediately to amend the list for the place for which such person shall have been ballotted, and to cause

cause another person to be chosen in his stead, by ballot, according to the directions of this act.

XX. And be it further enacted, That whenever any militia man, after having been sworn and enrolled by virtue of this act, shall become unfit for service, it shall be lawful for the colonel or commanding officer of the regiment, battalion, or independent company, of the county, riding, or place, where such militia shall be raised, together with any two or more deputy lieutenants of the county, riding, or place to which such militia belongs, if the militia raised by virtue of this act shall not then have been embodied and called out in pursuance of the directions herein-after contained, or for the commanding officer only, if the said militia shall then be embodied and called out, to discharge any such militia man of his service in the said militia, but another man shall not be ballotted for in the room of such militia man so discharged, until such discharge shall be confirmed under the hands of two or more deputy lieutenants of the county, riding, or place, to which any such militia man belongs, assembled at any meeting in the sub-division for which such militia man was enrolled.

XXI. And be it further enacted, That when any such militia man shall, before the expiration of the term for which he was to serve, die, or be appointed a serjeant, corporal, or drummer, in the said militia, or be discharged in pursuance of the sentence of a court martial, the vacancy thus occasioned shall be filled up by a fresh ballot for a militia man to serve, according to the provisions of this act, except as herein-before excepted.

XXII. And be it further enacted, That if any servant whatever, hired by the year or otherwise, shall be enrolled as a militia man by virtue of this act, such enrolment shall not vacate or rescind the contract or alter the employment, between such servant and his master or mistress, and employer or employers, unless the militia of the county, riding, or place, for which such servant shall be enrolled, shall be embodied or called out by his Majesty, or ordered so to be in pursuance of this act, or unless such person so enrolled shall leave the service of his master, mistress, or employer, for the purpose of being trained and exercised, for the space of twenty days in pursuance of this act, and shall not return again to the same service at the end of such twenty days, or as soon after as reasonably may be, allowing to his master, mistress, or employer, an abatement from his wages in proportion to the duration of his absence from his said service, to be settled by a justice of the peace in the manner herein-after mentioned; and in every such case, where any dispute shall arise between his master or mistress, employer or employers, and such servant, touching any sum or sums of money due to such servant, servants, not for or on account of his service performed before the time of his departure from service under the conditions of the said enrolment, or by being called out to join the militia in which he shall have been so enrolled, or touching any abatement to be made by such servant by reason of his absence, for the purpose of being trained to be levied by and distres.

Vacancies occasioned by death, &c. to be filled up by a fresh ballot.

The enrolment of a servant shall not vacate the contract between him and his employer, except in certain cases.

Disputes respecting wages due to servants, not exceeding 20l. may be settled by a justice, who may order the money to be levied by and distress.

Anno regni tricesimo septimo GEORGII III. c. 3. [1796.]
and exercised, it shall and may be lawful, on complaint made thereof to any justice of the peace for the county, riding, city, liberty, town corporate, or place, where such master or mistress, employer or employers, shall inhabit, for such justice to hear and determine every such complaint, and to examine upon oath every such servant, or any other witness or witnesses, touching the same, and to make such order for the payment of so much wages to such servant, in proportion to the service he has performed, or such abatement from his wages, in proportion to the duration of his absence from his service, as the case may require, as to such justice shall seem just and reasonable, provided the sum in question do not exceed the sum of twenty pounds; and in case of refusal or non-payment of any sums so ordered to be paid, by the space of twenty-one days next after such determination, such justice shall and may issue forth his warrant to levy the same by distress and sale of the goods and chattels of such master or mistress, employer or employers, rendering the overplus to the owner or owners, after payment of the charges of such distress and sale.

Substitutes or volunteers neglecting to appear to be sworn, to return the money received, and forfeit not exceeding £1. or to be committed to gaol for three months.

XXIII. And be it further enacted, That any person who shall receive money from any other person to serve as his substitute in the said supplementary militia, or from any person or persons to serve as a volunteer in pursuance of this act, and shall neglect to appear at the usual meeting appointed for swearing the militia men, or before some one deputy lieutenant, in order to be sworn according to the directions of this act, every such person so neglecting to appear and be sworn, being convicted thereof before any deputy lieutenant or justice of the peace, shall be obliged to return the money to the person or persons from whom he received it, and shall also forfeit and pay to such person or persons, any sum not exceeding five pounds, at the discretion of the deputy lieutenant or justice of the peace before whom he shall be so convicted; and if such offender shall not immediately return the money so by him received as aforesaid, and likewise pay the said penalty, he shall be committed to the common gaol, or house of correction, there to be kept to hard labour for the space of three calendar months, or until the said sum shall be returned.

If any man chosen by ballot shall engage a substitute, or any person shall engage a volunteer, and shall after enrolment refuse to pay him the sum agreed on, a justice may order it to be paid immediately.

XXIV. And be it further enacted, That if any man chosen by ballot to serve in the said supplementary militia, shall have engaged any other man to serve as his substitute, or if any person or persons shall have engaged any man to serve as a volunteer as aforesaid, and the man so chosen by ballot, or such person or persons shall have agreed to pay to the man so engaged a certain sum for such service, and shall, after such man has been enrolled, refuse to pay him the full sum agreed on, it shall be lawful for any one justice of the peace on application made to him, and such justice is hereby required to order such sum of money as shall appear to him to be due to the man so engaged, to be immediately paid to him by the person or persons by or for whom he shall be engaged to serve as aforesaid, and such justice shall

shall proceed therein in the same manner as is directed by an act of the twentieth year of the reign of his late Majesty, for the better adjusting and more easy recovery of the wages of certain servants, and for the better regulating of such servants and of certain apprentices.

XXV. And be it further enacted, That the said supplementary militia to be raised as aforesaid, or such part thereof, as shall for calling out be appointed by the lieutenants or deputy lieutenants at any general meeting of lieutenancy, with the approbation of his Majesty, to be trained and exercised together, shall be called out for the purpose of being trained and exercised for the space of twenty days, and which training and exercising shall commence as soon after the passing of this act as conveniently may be; and in every county, riding, or place, in which it shall have been appointed, that the whole of such supplementary militia shall not be trained or exercised at the same time, then the respective parts thereof shall be trained and exercised successively, until the whole of the men serving for such county, riding, or place, shall have been trained and exercised for the space of twenty days; and that for the purpose aforesaid the men serving for such county, riding, or place, shall be called out to be so trained and exercised, in such manner, and in such proportions, at such time or times, and place or places, in such county or riding, as shall be appointed by the lieutenant, or deputy lieutenants, at a general meeting of the lieutenancy, to be holden as herein-before directed, or in default of any such meeting being holden, then by the lieutenant of the county, riding, or place, or by three deputy lieutenants, authorised by his Majesty to act as aforesaid; and that during such time as the men shall be assembled for the purpose of being trained and exercised, they, and each of them, shall be subject and liable to the same orders, regulations, pains, and punishments, as the militia forces are subject and liable to by the said former act, during the time of their annual exercise: provided always, That it shall be lawful for the lieutenant or deputy lieutenants, at any general meeting of lieutenancy, to alter the places appointed for assembling the men for exercise, and from time to time to appoint other or additional places as they shall find expedient, giving like notice thereof as is herein required to be given of the places first to be appointed.

XXVI. And be it further enacted, That the militia men to be raised by virtue of this act, shall be trained and exercised during the respective periods of twenty days, by such officers, non-commissioned officers, and drummers, or private men, appointed to act as non-commissioned officers, of the respective regiments, battalions, or companies of militia serving for their respective counties or ridings, as may be conveniently spared from service, and shall be detached for that purpose; and where a sufficient number of such officers, non-commissioned officers, or drummers, cannot be conveniently spared, it shall and may be lawful for the said lieutenants, and deputy lieutenants respectively, with the approbation of his Majesty, with may appoint

The men, while assembled for training, to be subject to the same regulations as the militia are by the former act.

The place for exercise may be altered.

The men to be trained by such officers, &c. of the regiments serving for the respective counties as can be spared, or the lieutenants and deputies, with the approbation of his Majesty, with may appoint

Anno regni tricesimo septimo GEORGII III. c. 3. [1796.]

and exercised, it shall and may be lawful, on complaint made thereof to any justice of the peace for the county, riding, city, liberty, town corporate, or place, where such master or mistress, employer or employers, shall inhabit, for such justice to hear and determine every such complaint, and to examine upon oath every such servant, or any other witness or witnesses, touching the same, and to make such order for the payment of so much wages to such servant, in proportion to the service he has performed, or such abatement from his wages, in proportion to the duration of his absence from his service, as the case may require, as to such justice shall seem just and reasonable, provided the sum in question do not exceed the sum of twenty pounds; and in case of refusal or non-payment of any sums so ordered to be paid, by the space of twenty-one days next after such determination, such justice shall and may issue forth his warrant to levy the same by distress and sale of the goods and chattels of such master or mistress, employer or employers, rendering the overplus to the owner or owners, after payment of the charges of such distress and sale.

Substitutes or volunteers neglecting to appear to be sworn, to return the money received, and forfeit not exceeding £1. or to be committed to gaol for three months.

XXIII. And be it further enacted, That any person who shall receive money from any other person to serve as his substitute in the said supplementary militia, or from any person or persons to serve as a volunteer in pursuance of this act, and shall neglect to appear at the usual meeting appointed for swearing the militia men, or before some one deputy lieutenant, in order to be sworn according to the directions of this act, every such person so neglecting to appear and be sworn, being convicted thereof before any deputy lieutenant or justice of the peace, shall be obliged to return the money to the person or persons from whom he received it, and shall also forfeit and pay to such person or persons, any sum not exceeding five pounds, at the discretion of the deputy lieutenant or justice of the peace before whom he shall be so convicted; and if such offender shall not immediately return the money so by him received as aforesaid, and likewise pay the said penalty, he shall be committed to the common gaol, or house of correction, there to be kept to hard labour for the space of three calendar months, or until the said sum shall be returned.

If any man chosen by ballot shall engage a substitute, or any person shall engage a volunteer, and shall after enrolment refuse to pay him the sum agreed on, a justice may order it to be paid immediately.

XXIV. And be it further enacted, That if any man chosen by ballot to serve in the said supplementary militia, shall have engaged any other man to serve as his substitute, or if any person or persons shall have engaged any man to serve as a volunteer as aforesaid, and the man so chosen by ballot, or such person or persons shall have agreed to pay to the man so engaged a certain sum for such service, and shall, after such man has been enrolled, refuse to pay him the full sum agreed on, it shall be lawful for any one justice of the peace on application made to him, and such justice is hereby required to order such sum of money as shall appear to him to be due to the man so engaged, to be immediately paid to him by the person or persons by or for whom he shall be engaged to serve as aforesaid, and such justice shall

by virtue of the said act of the twenty-sixth year aforesaid, for to the commanding officer of the county or riding for which such persons have been enrolled by virtue of this act, or to such person as shall be appointed by such commanding officer to receive the same; and shall in like manner cause a duplicate of such list to be transmitted to the adjutant of the said regiment, battalion, or independent company.

XXIX. And be it further enacted, That arms, accoutrements, and such cloathing, may be provided for the militia men raised by virtue of this act, as shall be deemed necessary by the lord lieutenant and deputy lieutenants respectively, with the approbation of his Majesty, and that one sixth part of the arms and cloathing so provided, or so much as shall be necessary for the men called out to be trained and exercised, shall be delivered to the use of the militia during the time of their being trained and exercised by virtue of this act, and that the residue of such arms and cloathing shall be kept in such secure place as his Majesty shall direct; and all muskets delivered for the service of the militia shall be marked distinctly in some visible place with the letter (M) and the name of the county, riding, or place to which they belong; and in case any militia man shall sell, pawn, or lose any of his arms, cloaths, or accoutrements, or neglect or refuse to return the same, in good order, to his commanding officer, or to the person appointed to receive the same, every such militia man shall, for every such offence, forfeit and pay a sum not exceeding five pounds; and if such militia man shall not immediately pay such penalty, the justice of the peace before whom he shall be convicted shall commit him to the house of correction for any time not exceeding three months, or until he shall have paid the said penalty.

XXX. And be it further enacted, That the arms belonging and delivered out to the militia raised by virtue of this act, when not embodied, shall be kept in such convenient place as the commanding officer shall direct, with the approbation of the lieutenant, or deputy lieutenants, authorised as aforesaid, of the county, riding, or place.

XXXI. And be it further enacted, That it shall be lawful for the lieutenant, or three deputy lieutenants, authorised by his Majesty, and he and they are hereby required to quarter and billet the officers, non-commissioned officers, and private men, serving in the said supplementary militia, at the times when they shall respectively be called out to exercise, in inns, ale-houses, victualling houses, livery stables, and all houses of persons selling brandy, strong waters, cyder, wine, or metheglin, by retail; and also to order and provide convenient lodging in such houses as aforesaid, for the serjeants, corporals, and drummers, of the said supplementary militia, whenever the same shall not be so called out to exercise, unless embodied and called out to actual service.

XXXII. And be it further enacted, That in all cases of His Majesty's actual invasion, or upon imminent danger thereof, it shall be lawful for his Majesty (the occasion being first communicated

Regulations respecting arms, accoutrements, and cloathing.

Penalty or mea for sell- ing, pawning, losing, or not returning arms, &c.

The arms, when the mi- litia is not em- bodied, to be kept where the command- ing officers shall direct.

The supple- mentary mili- tia, when call- ed out to ex- ercise, may be billeted in inns, &c. and lodgings may be provided for the non- commissioned officers and privates, when not embodied.

may order all the militia to be embodied, to in cases of ac-

tual invasion, to parliament, if the parliament shall be then sitting, or declared &c. and com- in council and notified by proclamation, if no parliament shall manded and be then sitting or in being) to order and direct the lieutenants of led by general the said several counties, ridings, and places, or on the death or officers, &c. removal, or in the absence from their respective counties, ridings, or places of any of them, then any three or more deputy lieutenants, with all convenient speed, to draw out and embody all the militia within their respective counties, ridings, and places herein-before appointed to be raised and trained, or so many of them as his Majesty shall in his wisdom judge necessary, and in such manner as shall be best adapted to the circumstances of the danger, and to put the said forces under the command of such general officers as his Majesty shall be pleased to appoint, and to direct the said forces to be led by their respective officers into any parts of this kingdom, and for the repelling and prevention of any such invasion, and such militia men so drawn out and embodied may be incorporated into the respective companies of militia then serving for the same county or riding, by virtue of the said act of the twenty-sixth year aforesaid, or may be formed into a distinct regiment or regiments, battalion or battalions, or into an independant company or companies, in such manner as shall have been fixed by the lieutenants of the several counties, ridings, and places, with the approbation of his Majesty; and such officers, non-commissioned officers, and drummers, may be appointed to the said militia, when so drawn out and embodied, as shall appear to be necessary, and according to circumstances, so that the number of officers, non-commissioned officers, and drummers respectively, shall not exceed the proportion allowed by the said act of the twenty-sixth year aforesaid; and that all officers newly appointed, shall be approved of by his Majesty in the manner directed by this act; and the officers, non-commissioned officers, drummers, and private men, so appointed, whether incorporated as aforesaid, or formed into regiments, battalions, or independant companies, shall, from the time of their being drawn out and embodied as aforesaid, and until they shall be returned again, by his Majesty's orders, to their respective parishes or places of abode, remain under the command of such general officers; and during such time as aforesaid, all the provisions contained in any act of parliament which shall be then in force for punishing mutiny and desertion, and for the better payment of the army and their quarters, shall be in force with respect to the said militia, and shall extend to all the officers, non-commissioned officers, drummers, and private men of the said militia, in all cases whatsoever.

No part of the militia raised under this act, shall be ordered out of Great Britain. XXXIII. Provided always, and be it further enacted, That neither the whole or any part of the militia directed by this act to be raised and maintained, shall, on any account, be carried or ordered to go out of *Great Britain*.

When the supplementary militia is called ut, his Ma- XXXIV. And be it further enacted, That whenever his Majesty shall cause the said supplementary militia, or any part thereof, to be drawn out and embodied as aforesaid, if the parliament

liament shall then be separated by such adjournment or proroga-
tion as will not expire within fourteen days, his Majesty may issue
and shall issue a proclamation for the meeting of the parliament
within fourteen days, and the parliament shall accordingly meet
and sit upon such day as shall be appointed by such proclamation,
and continue to sit and act in like manner, to all intents and
purposes, as if it had stood adjourned or prorogued to the
same day.

XXXV. And be it further enacted, That when his Majesty shall think fit to order the said supplementary militia, or any part thereof, to be drawn out and embodied as aforesaid, the lieutenant of every county, riding, and place, or (on the death or removal of any such lieutenant, or in his absence from his county, riding, or place) any three or more deputy lieutenants to whom any such order as aforesaid from his Majesty shall be directed, shall issue his or their order to the chief constables or other officers of the several hundreds, rapes, laths, wapentakes, or other divisions within their respective counties, ridings, and places, with directions to forward the same immediately to the constables, tythingmen, headboroughs, or other officers of the several parishes, tythings, and places within their respective hundreds, rapes, laths, wapentakes, and divisions, and such constables, tythingmen, headboroughs, or other officers, are hereby required, upon receipt thereof, forthwith to cause notice in writing to be given to the several militia men, or left at their usual places of abode, within their respective parishes, tythings, or places, to attend at the time and place mentioned in such order; and if any militia man so ordered to be drawn out and embodied as aforesaid (not labouring under any infirmity, incapacitating him to serve as a militia man) shall not appear and march in pursuance of such order, every such militia man shall be liable to be apprehended and punished as a deserter, according to the provisions of any act which shall be then in force for punishing mutiny and desertion, and for the better payment of the army and their quarters; and if any person shall harbour or conceal any militia man when ordered out into actual service, knowing him to be a militia man, every such person shall for every such offence forfeit and pay the sum of five pounds.

XXXVI. And be it further enacted, That when the said supplementary militia of any county, riding, or place, shall be embodied and called out into actual service, the receiver general of the land tax for such county, riding, or place, shall and is hereby required forthwith to pay to the captains or commanding officers of companies of militia respectively, the sum of one guinea for the use of every private militia man who shall be so called out; and the said receiver general shall also pay to every captain or other commanding officer of a company as aforesaid, the sum of one guinea for every recruit as early as may be after such recruit shall have joined his company, when out in actual service as aforesaid, (all which money so paid by the said receiver general, shall be allowed him in his account); and the money so

Militia men
not attending,
may be appre-
hended as de-
serters; and
persons har-
bouring them
to forfeit £1.

When called
out, the re-
ceiver general
of the land
tax to pay
one guinea
for the use of
each man.

Captains to account with the men for the money.

Militia when embodied to be entitled to the same pay as the other forces, and non-commissioned officers and privates to Chelsea hospital.

By Jan. 5, 1797, a certificate to be transmitted to the clerk of the peace of the number of private men raised, who shall deliver it to the next quarter session to be filed; and where none shall be received, he shall certify the same to the justices.

Where no certificate shall be transmitted, the quarter sessions, unless an apportionment shall have been made, shall proceed to apportion the number, and adjourn the sessions till completed.

received by any captain or other commanding officer (or so much thereof as such captain or commanding officer shall think proper) shall be laid out in the manner he shall think most advantageous for the respective militia men; and such captain or commanding officer shall, before any militia man of his company receives his discharge, account to such militia man how the said sum of one guinea hath been applied and disposed of, and shall pay the remainder of the money (if any) to the said militia man.

XXXVII. And be it further enacted, That from the date of his Majesty's warrant for drawing the said militia out into actual service, the officers and private men of the said militia shall be entitled to the same pay as the officers and private men of his Majesty's other regiments of foot receive, and no other; and if any non-commissioned officer or private man of the said militia, shall be maimed or wounded in actual service, he shall be equally entitled to the benefit of *Chelsea* hospital, with any non-commissioned officer or private man belonging to any of his Majesty's other forces.

XXXVIII. And whereas it may happen through neglect, or otherwise, that in some county, riding, or place, the militia may not be raised according to the directions of this act, and it is just and reasonable that all his Majesty's subjects shall contribute equally toward the expence of raising and supporting a militia for the defence of the kingdom; be it therefore further enacted, That the lieutenant, or any threight deputy lieutenants of every county, riding, and place, where the militia shall be raised, according to the directions of this act, shall, on or before the fifth day of January in the year of our Lord one thousand seven hundred and ninety-seven, transmit a certificate to the clerk of the peace, containing an account of the number of private men of the militia raised by virtue of this act, and every such clerk of the peace shall deliver such certificate to the justices of the peace at their general quarter session to be held next after the said fifth day of January one thousand seven hundred and ninety-seven, on the day on which such session shall be opened, and the same shall be filed amongst the records of such session; but where no such certificate shall be received by the clerk of the peace as aforesaid, he shall certify the same under his hand and seal to the justices so assembled, and such certificate of the said clerk of the peace shall be filed by him amongst the records of such session.

XXXIX. And be it further enacted, That in every county, riding, and place, where no such certificate shall be transmitted to the clerk of the peace as aforesaid, the justices of the peace of such county, riding, or place, at the same general quarter sessions where such default shall be made as aforesaid, shall, unless an apportionment shall have been made according to the directions of this act, diligently proceed to apportion the number of men to be raised by virtue of this act, in each town, parish, or place, and the said justices are hereby authorised and required to do all acts necessary for that purpose, which the lieutenants and deputy lieutenants are hereby authorised to do, and the said justices

tices shall adjourn such general sessions from time to time, until such apportionment be completed; and that the sum of fifteen pounds shall be annually paid, for and in lieu of every private militia man by this act directed to be raised within the same county, riding, or place, making such default, and shall be paid to the treasurer of the county by the respective overseers of the poor of the several towns, parishes, and places; and the justices of the peace shall and are hereby required, at their said general quarter session, to rate and assess the sum of fifteen pounds upon every town, parish, and place within such county, riding, or place, for every man which such town, parish, or place ought to raise by virtue of this act, and the same shall be levied, collected, received, paid, and accounted for in such manner, and by such ways and means, and with such powers of distress, and other remedies for enforcing the collection and payment thereof, and for punishing all persons whose duty it shall be to collect or account for the same, who shall make default therein, as are directed with respect to rates made for the relief of the poor of such town, parish, or place.

Quarter session to affect the money on the respective parishes, &c.

XL. And be it further enacted, That if any person or persons who shall be chosen by lot and enrolled to serve in the said supplementary militia, to be raised by virtue of this act, shall, when ordered out to be trained and exercised for twenty days as aforesaid, leave a family unable to support themselves, the overseer or overseers of the poor of the parish, tything, or place where the family of such militia man shall dwell, shall, by order of some justice of the peace, out of the rates for the relief of the poor of such parish, tything, or place, pay to such family the following weekly allowance; that is to say, a sum not exceeding one shilling for each and every child born in wedlock, and under the age of ten years, and a sum not exceeding one shilling for the wife of such militia man, whether he shall or shall not have any child or children; and in every parish, tything, or place, where the money arising by such rates shall not be sufficient for the purpose aforesaid, a new rate or rates shall be made for raising a sum sufficient for that purpose.

The families of militia men chosen by lot, when ordered to be trained, to receive a weekly allowance from the overseers of the poor.

XLI. And be it further enacted, That all powers, provisions, rules, regulations, penalties, forfeitures, bounties, allowances, clauses, matters, and things, contained in the aforesaid act of the twenty-sixth year of his Majesty's reign, or in any other act of parliament relative to the raising, training, embodying, and calling out the militia, or providing for the families of militia men called out, or in any act to be passed in this session of parliament relative to the paying, cloathing, or subsisting the militia, shall be applied, practised, and put in execution with respect to the militia directed to be raised by this act, in as full and ample a manner, as if the said powers, provisions, rules, regulations, penalties, forfeitures, bounties, allowances, clauses, matters and things, were again repeated and enacted in this act, so far as the same are applicable to the provisions of this act, and are not repugnant to or altered by the express provisions of this act.

The powers of all acts relating to the militia to extend to this act as far as applicable.

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XLII. And be it further enacted, That this act shall be and continue in force during the present war, and for the space of one calendar month after the end thereof.

XLIII. Provided always, and be it further enacted, That this act may be altered, varied, or repealed, by any act or acts to be made in this present session of parliament.

C A P. IV.

An act for raising a certain number of men, in the several counties in England, for the service of his Majesty's army and navy.—[Nov. 11; 1796.]

Preamble.

Men to be
levied in the
proportions
following.

WHEREAS it is expedient for the publick service, at the present conjuncture, that the most effectual measures should be adopted, for providing a speedy supply of men to serve in his Majesty's army and navy: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That there shall be levied, within that part of Great Britain called England, the dominion of Wales, and the town of Berwick upon Tweed, in the several counties and places herein-after mentioned, such able-bodied men to serve his Majesty in the army or navy of Great Britain, at such times, and in such manner, as is herein directed; and that the number of men to be levied for the said respective services, by virtue of this act, shall be as follows; (that is to say),

For the county of Bedford, eighty-seven, for the army.

For the county of Berks, one hundred and forty, for the army.

For the county of Bucks, one hundred and fifty-two, for the army.

For the county of Cambridge, one hundred and sixty-three, for the army.

For the city of Chester, with the city and county of the city of Chester, three hundred and nineteen, for the army.

For the county of Cornwall, two hundred and fifty-two, for the navy.

For the county of Cumberland, two hundred and thirty-eight, for the navy.

For the county of Derby, two hundred and fifty-two, for the army.

For the county of Devon, with the city and county of the city of Exeter, five hundred and nine, for the navy.

For the county of Dorset, with the town and county of the town of Poole, one hundred and eighty-four, for the navy.

For the county of Durham, two hundred and twenty-four, for the navy.

For the county of Essex, three hundred and sixteen, for the navy.

For the county of Gloucester, with the city and county of the city of Gloucester, and the city and county of the city of Bristol, two hundred and sixty-one, for the navy.

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For the county of *Hereford*, one hundred and thirty-three, for the army.

For the county of *Hertford*, one hundred and forty-eight, for the army.

For the county of *Huntingdon*, fifty-eight, for the army.

For the county of *Kent*, with the city and county of the city of *Canterbury*, and such of the cinque ports as are situate within the said county of *Kent*, five hundred and seventy, for the navy.

For the county of *Lancaster*, seven hundred and sixty-three, for the navy.

For the county of *Leicester*, two hundred and thirty-seven, for the army.

For the division of *Lindsey*, in the county of *Lincoln*, with the city and county of the city of *Lincoln*, two hundred and forty-eight, for the navy; for the division of *Kesteven*, in the said county of *Lincoln*, one hundred and twenty-one, for the army; and for the division of *Holland*, in the said county of *Lincoln*, seventy-five, for the navy.

For the city and county of the city of *London*, two hundred and fifty-seven, for the army.

For the county of *Middlesex*, inclusive of the division commonly called *The Tower Hamlets*, and the liberty of the *Tower*, five hundred and eighty-four, for the army.

For the county of *Monmouth*, seventy-five, for the army.

For the county of *Norfolk*, with the city and county of the city of *Norwich*, three hundred and thirty-seven, for the navy.

For the county of *Northampton*, one hundred and seventy-eight, for the army.

For the county of *Northumberland*, with the town and county of the town of *Newcastle upon Tyne*, and the town of *Berwick upon Tweed*, two hundred and twenty-eight, for the navy.

For the county of *Nottingham*, with the town and county of the town of *Nottingham*, two hundred and nine, for the army.

For the county of *Oxford*, one hundred and sixty-five, for the army.

For the county of *Rutland*, thirty, for the army.

For the county of *Salop*, two hundred and twenty-eight, for the army.

For the county of *Somerset*, four hundred and fifty-five, for the navy.

For the county of *Southampton*, with the town and county of the town of *Southampton*, three hundred and six, for the navy.

For the county of *Stafford*, with the city and county of the city of *Litchfield*, three hundred and seventeen, for the army.

For the county of *Suffolk*, three hundred and forty-one, for the navy.

For the county of *Surrey*, four hundred and nineteen, for the army.

For the county of *Sussex*, with such of the cinque ports as are situate within the said county, two hundred and twenty-three, for the navy.

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For the county of *Warwick*, with the city and county of the city of *Coventry*, two hundred and fifty, for the army.

For the county of *Westmoreland*, ninety, for the army.

For the county of *Worcester*, with the city and county of the city of *Worcester*, one hundred and fifty-six, for the army.

For the county of *Wilts*, two hundred and seven, for the army.

For the east riding of the county of *York*, with the town and county of the town of *Kingston upon Hull*, two hundred and twenty-seven, for the navy; for the west riding of the said county, seven hundred and eighty-nine, for the army; and for the north riding of the said county, with the city and county of the city of *York*, three hundred and eighty-five, for the navy.

For the county of *Anglesea*, forty-four, for the army.

For the county of *Brecknock*, fifty-three, for the army.

For the county of *Cardigan*, forty-seven, for the army.

For the county of *Carmarthen*, with the county borough of *Carmarthen*, eighty-seven for the army.

For the county of *Carnarvon*, forty-seven, for the army.

For the county of *Denbigh*, ninety-five, for the army.

For the county of *Flint*, forty-nine, for the army.

For the county of *Glamorgan*, ninety-nine, for the army.

For the county of *Merioneth*, fifty-six, for the army.

For the county of *Montgomery*, ninety, for the army.

For the county of *Pembroke*, with the town and county of the town of *Haverfordwest*, sixty for the army.

For the county of *Radnor*, thirty-four, for the army.

His Majesty may appoint officers to regulate the admission of men, &c.

II. And be it further enacted, That it shall and may be lawful for his Majesty to constitute and appoint, in the several counties of *Great Britain*, (except in the city and county of the city of *London*), so many officers to regulate the admission of men to be levied under the authority of this act for his Majesty's service, as his Majesty shall deem necessary, who, being so respectively appointed, shall establish a convenient place or places of rendezvous, in each such county (except the city and county of the city of *London* as aforesaid) for the reception of such men; and every such man so to be levied shall, before his enrolment, be examined by one such regulating officer at the least, as to his ability to serve his Majesty; and every such officer shall have full power of approving, or of rejecting any man tendered to serve his Majesty, subject nevertheless to such controul as by this act is particularly directed.

Justices within twenty-one days after passing this act to hold a general session for carrying it into execution.

III. And be it further enacted, That the justices of the peace, acting in and for the several counties aforesaid, shall, within a time not exceeding twenty-one days after the passing of this act, assemble together at some convenient place in each county, where the general quarter sessions of the peace have heretofore or usually been held, and there hold a court of general sessions, for the purpose of carrying effectually into execution the powers given to them by this act; and that in every case where any city, town, or borough, being a county of itself, or any cinque port or liberty

berty herein-before particularly mentioned, is hereby directed to be united with any county at large, in estimating the number of men to be raised by virtue of this act, the justices of such city, town or borough, being a county of itself, and of such cinque port or liberty, who shall have duly qualified themselves to act, and shall have acted before the passing of this act, as such justices respectively within the proper limits of their respective jurisdictions, and no other, shall assemble themselves together with the justices of such county at large, who shall also be qualified and shall have acted in like manner; and the justices so assembled shall respectively have and be entitled to exercise the powers and jurisdictions of justices of the peace, in all things touching the execution of this act, as well for such city, town, or borough, being a county of itself, and of such cinque port, or liberty, as also for such county at large, and shall be deemed and taken to be such justices respectively, without any other or further qualification; and that the said justices so assembled may, from time to time, as often as they shall find it necessary, adjourn such court of general sessions, so that such adjournment shall not be for any longer time than from day to day (*Sundays excepted*) until they shall have fully and effectually carried this act into execution, in respect of the powers vested in such court of general sessions by this act, except as to such adjournment as shall be made to the quarter sessions as herein-after is mentioned; but that such justices so assembled shall not have any authority, power, or jurisdiction, in or over any matter or thing whatever, other than in and for the execution of the powers expressly given them by this act.

IV. And be it further enacted, That any direction given or provision made by this act, in any matter respecting any county, shall be construed to extend, and shall extend to the several ridings of the county of York, and to the several divisions of the county of Lincoln respectively, and the justices within the several ridings and divisions, and of any city or town directed to be united therewith by this act, shall have power to put this act in execution, in all things within their respective jurisdictions as fully and amply as the justices of any county are hereby empowered to execute the same.

V. And be it further enacted, That the clerk of the peace of every county, where a court of general sessions is hereby directed to be held, shall, with the assent of any two justices of the peace of such county, appoint the time and place of holding the first court of general sessions, to be held by virtue of this act, of which notice shall be given in any newspaper usually circulated in such county, five days at least before the day appointed for holding such court; and in case, at such time of appointing such court, or at any subsequent time of appointing such court by adjournment, there shall not be justices of the peace attending sufficient to hold such general sessions, any one justice of the peace, who shall there attend, shall and may adjourn the same to the next day, and so from day to day (*Sundays excepted*)

Any provision respecting any county to extend to the ridings of Yorkshire and the divisions of Lincolnshire.

Clerk of the peace, with the assent of two justices, to appoint the first general sessions, which may be adjourned, if sufficient justices do not attend.

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 until such court shall be held; and in case no such justice shall attend at the time and place appointed for holding such court, then the clerk of the peace shall adjourn the time of holding such court from day to day (*Sundays excepted*) until such court shall be duly held.

Treasury to cause lists to be prepared of the number of inhabited houses within the limits of each court of sessions, liable to the duties on houses, &c. and laid before the justices.

Justices to appoint what number of men shall serve for each hundred, &c.

and to order the constables to give notice of the number, and the time for raising them, to the parish overseers.

General sessions to appoint petty sessions for receiving returns, and attesting and enrolling men.

At first petty sessions, constables and overseers to make returns.

VI. And be it further enacted, That the commissioners of his Majesty's treasury for the time being, shall cause to be prepared true lists of the number of all the inhabited houses within the limits of the jurisdiction of each court of general sessions, which are assessed, and pay to the duties on inhabited houses, or to the duties on houses, windows, or lights, in such part of Great Britain as aforesaid, by virtue of any act or acts of parliament now in force, distinguishing therein each hundred, rape, lath, wapentake, or district, and also each parish, within such hundred, rape, lath, wapentake, or district, and shall cause the same to be laid before the justices then assembled at their respective courts of general sessions, by the respective surveyors of the said duties, and to be by them verified on oath, if required (which oath the said justices then assembled are hereby authorised to administer;) and such justices respectively shall proceed to appoint what number of men shall serve for each such hundred, city, or town, rape, lath, wapentake, or district, and also for each parish, within such hundred, city, or town, rape, lath, wapentake, or district respectively, and in proportion, as nearly as may be, to the number of houses therein respectively assessed and paying to the said duties, and so as the whole number of men appointed by this act to be raised for such county may be included, and shall issue an order, signed by the clerk of the peace of such county, to the chief constables or other officers of the respective hundreds, laths, wapentakes, or other districts, within such counties, requiring them to give notice to the overseers of the poor of every parish, within their respective hundreds, rapes, laths, wapentakes, or other districts, of the number of men so appointed to be levied for such parishes respectively, and of the time allowed for raising the same, and of making a return to such orders; all which particulars shall be specified in such orders and notices respectively; and the said justices at such court of general sessions, shall also appoint petty sessions to be held within the different districts of each county, wherein petty sessions have been usually held, and also within each city, borough, town, cinque port, or liberty, having magistrates of itself, for the purpose of receiving the returns of the officers of the several parishes within those districts respectively, and of attesting and causing to be enrolled the number of men to be raised by virtue of this act, after such persons shall be approved of by the regulating officer or officers to be appointed for that purpose; and the said justices shall also appoint a time for holding the first petty sessions to be held in each district under this act, at which first petty sessions returns shall be made by the chief constables and other officers, and also by the overseers, of all matters done by them in pursuance of this act, according to the directions therein contained, and which petty sessions shall be appointed at a day

day not later than twenty-one days after issuing the orders before-mentioned; and such justices, having completed such orders, shall and may then adjourn their court of general sessions to the next quarter sessions of the peace to be holden for such county, at which quarter sessions the justices of any city, town, or borough, are complect-cinque port, or liberty, directed to be united therewith, may ed. also attend for the purpose of executing this act, but not otherwise.

VII. Provided always, and be it further enacted, That the mayor, recorder, and aldermen, of the city of *London*, assembled at the general sessions of the peace to be held in and for the said city, by virtue of this act, shall appoint the number of men to serve for each ward or parish, precinct, liberty, and place, separately supporting its own poor, within the city and county of the city of *London* aforesaid, as nearly as may be to the amount of the assessment to the duties on inhabited houses, and the duties on houses, windows, or lights, in such ward or parish, precinct, liberty, and place respectively, instead of the number of houses therein respectively assessed and paying to the said duties, as herein-before directed, any thing herein contained to the contrary thereof notwithstanding.

VIII. And, for enabling the mayor, recorder, and aldermen of the city of *London* aforesaid to appoint or apportion the number of men herein-before directed, be it further enacted, That the clerk or clerks to the respective commissioners for carrying into execution the several acts of parliament respecting the duties on inhabited houses, and the duties on houses, windows, or lights, in the city and county of the city of *London* aforesaid, shall prepare, or cause to be prepared, true lists of the number of all inhabited houses which are assessed, and pay to the duties on inhabited houses, or to the duties on houses, windows, or lights, in the city and county of the city of *London* aforesaid, by virtue of any act or acts of parliament now in force, and also the amount of the assessments of the said duties respectively, distinguishing therein each ward or parish, precinct, liberty, or place, separately supporting its own poor, within the city and county of the city of *London* aforesaid; and the said lists shall respectively be verified on oath by the said clerk or clerks, if required (which oath the said mayor, recorder, or aldermen respectively are hereby authorised to administer) and laid before the mayor, recorder, and aldermen assembled at their respective general or quarter sessions aforesaid.

IX. And be it further enacted, That within every county (not being a city, town, or borough, and a county of itself, nor a city, borough, town corporate, cinque port, or liberty, having respectively their own magistrates or justices) the justices of the peace usually acting in and for the district wherein such petty sessions shall be directed by the court of general sessions to be held, or such other justices as shall be specially appointed by the court of general sessions to act in such district, which they are hereby authorised to appoint in every district where they shall see occasion, shall be the justices for holding such petty sessions, and no other; and that within any city, borough, town corporate, cinque

Petty sessions
to receive the
returns of the
overseers.

First petty
sessions to fix
a time for
hearing ap-
peals, &c.

Petty sessions
may be ad-
journed.

General ses-
sions may add
together two
or more places
for raising
men;

and also extra-
parochial or
other places
where no poor
rates have

cinque port, or liberty, or any city, borough or town, being a county of itself, the justices or magistrates of such city, borough, town corporate, cinque port, or liberty, and no other, shall hold such petty sessions within such city, borough, town corporate, cinque port, or liberty; and such justices respectively shall meet and hold their respective petty sessions at the time and place appointed by the general sessions, and shall receive the returns of the overseers of the poor of all such parishes, touching the execution of the orders given to them under this act; and shall, at their first petty sessions to be held by virtue of this act, fix a time or times for hearing the appeals of parishes, charged to raise men under this act, against the proceedings of regulating officers to be appointed under this act, as herein-after is directed; and shall give notice at what time or times, place or places, any such appeal may be heard and determined, and which shall not be later than twenty days after the respective times appointed for making returns by the overseers respectively; and such justices shall then and there meet to hear and determine such appeals, and in all respects shall do and execute with diligence and dispatch, all matters and things entrusted to them by this act; and any one or more of such justices there attending, or in default of such attendance the high constable or other principal officer of the peace of the hundred, rape, lath, wapentake, city, borough, town, liberty, or place, wherein such petty sessions shall be held, shall have authority, from time to time, to adjourn the petty sessions, giving publick notice of the time and place of holding the next adjourned sessions, and so from time to time, as there shall be occasion, by causing such notice in writing to be affixed on the door of the church or chapel of the place where such session shall be held, two days at least before the time of holding such sessions, where such time shall intervene, otherwise at such convenient time as shall be most expedient.

X. And be it further enacted, That it shall be lawful for the said justices at their general sessions, to add together, whenever they shall think it necessary, two or more parishes, for the raising any man or number of men, by virtue of this act, so as to make the charge within every parish as equal and impartial as possible; and that where the parishes so added together, shall lie in different hundreds, rapes, laths, wapentakes, or districts, within the same county, riding, or division, to direct in what hundred, rape, lath, wapentake, or district, the same shall be considered, for the purposes of this act; and the said justices, and also the justices at their petty sessions, and all overseers of the poor of the said parishes respectively, so added together, shall proceed to raise the proportion of men, in like manner as if they had been originally charged upon one parish; and the overseers of the several parishes, so added together, shall act together in the execution of this act as if they were respectively officers of one and the same parish; and that where there shall be any extra-parochial place, or other place wherein no rate for the relief of the poor shall have been made within the space of three years next before the passing of this act,

it shall be lawful for such justices at such general sessions to add ^{been made} for three years, to parishes adjoining.

as aforesaid, for raising the quota of men by virtue of this act, to any parish adjoining thereto; and in all such cases the overseers joining, acting together for such parishes, by virtue of this act, shall hold their meetings under this act in the parish which shall be named first in such order of general sessions; and if any difference or disagreement shall arise between the inhabitants or officers of any parish, or between the officers of different parishes touching the execution of this act, the justices of the peace or magistrates, acting in and for the district where such difference or disagreement shall happen, shall, at any petty sessions, and they are hereby authorised, at the request or upon the complaint of any inhabitant of any such parish, to hear and determine the same, and make such order therein as to them shall seem meet, and such orders shall be final and conclusive to all parties.

XI. And be it further enacted, That any direction given, or provision made by this act, in any matter respecting any parish, shall be construed to extend to every township or place separately supporting its own poor, and also to every extra-parochial place added thereto, in like manner as to any parish, and as fully as if the said directions and provisions had severally and respectively been expressly applied to townships and places separately supporting their own poor; and that where there shall be any extra-parochial place or other place, wherein no overseers of the poor have been or are appointed, two sufficient persons of the same places respectively may be presented to the justices at their respective sessions to put this act in execution in each such place, who, being approved of and appointed to such office by the said justices, shall have all the powers and authorities of overseers of the poor in carrying this act into execution, and they are hereby required to perform all the duties required in and by this act of overseers of the poor of any parish in all matters required by this act; and that where no such persons shall be appointed, the justices, at such sessions, shall direct the overseers of any adjoining parish, to which such extra-parochial or other place shall have been added by the justices at their general sessions for the county, to act as overseers for such extra-parochial or other place, in the execution of this act, and such overseers shall act therein accordingly: provided always, That if any rate or rates shall be made for any parish or parishes, and any such extra-parochial or other place, jointly, such rate or rates shall be distinctly made for the purposes of this act, and for no other purpose whatever.

XII. Provided always, and be it further enacted, That where any such parishes or places shall be added together as aforesaid, and any fine or fines shall be adjudged to be levied for default of raising the proper proportion of men, or any sum or sums of money agreed to be given as a bounty or bounties to any man or men raised in pursuance of this act, shall be directed to be levied, such fine or fines, and bounty or bounties respectively, shall be divided and apportioned, as near as may be, between such parishes and places

Provision respecting any parish to extend to every place supporting its own poor, and to every extra-parochial place.

Where no overseers of the poor are appointed, two persons may be appointed to the office by the sessions;

and where none are appointed, the sessions shall direct the overseers of an adjoining parish to act.

Rates for any made for any parish or parishes, and any such extra-parochial or other place, jointly.

Fines for default in raising men and bounties, to be proportioned between places.

parishes and places added together, to the number of inhabited houses affixed in each.

The charge for raising men in a parish lying in two counties, shall be in that wherein the church stands, &c.

What counties Crake, part of Maker, Wokingham, Filey, Threapwood, and Stamford Baron, shall be deemed part of, for the purposes of this act.

Overseers to call the principal inhabitants together to consider of the most effectual means of raising men;

and, with their consent, to

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places respectively, in such proportions as the number of inhabited houses assessed to and paying the said duties in each parish or place shall bear to each other; and the respective justices are hereby authorised and required to divide and apportion the same accordingly.

XIII. And be it further enacted, That where any parish shall lie in two or more counties, the charge imposed upon such parish, for raising men for his Majesty's service, by this act, shall be in the county where the church belonging to such parish is situated, and that such parish shall, for the purposes of this act, be deemed part of the county; and the bounty or bounties to be levied (or in case any fine or fines shall be levied of such parish for default in not raising men for the purposes of this act, then also such fine or fines respectively) shall be paid to the treasurer of such county.

XIV. And be it further enacted, That, for the several purposes of this act, the constabulary of *Craike*, which is a parcel of the county of *Durham*, surrounded by part of the north riding of the county of *York*, shall be deemed to be situate within, and part of, the said north riding; and that part of the parish of *Maker*, which lies in the county of *Cornwall*, shall be deemed to be situate within, and part of, the county of *Cornwall*; and that the town and parish of *Wokingham* shall be deemed to be situate within, and part of, the county of *Berks*; and that the township of *Filey* shall be deemed to be situate within, and part of, the east riding of the county of *York*; and that *Threapwood* shall be deemed to be situate within, and part of, the parish of *Worthenbury*, in the county of *Flint*; and that the parish of *Saint Martin*, called *Stamford Baron*, in the suburbs of the borough and town of *Stamford*, on the south side of the waters called *Welland*, shall be deemed to be situate within part of the county of *Lincoln*; and that the several towns and places herein-before mentioned, and deemed to be situate within, and part of, the several counties aforesaid, for the purposes of this act, shall be subject to the jurisdiction and authority of the justices of the peace and other officers of the respective counties, within which such towns and places are hereby deemed to be situate; any law, usage, or custom, to the contrary notwithstanding.

XV. And be it further enacted, That the overseers of the poor of every parish, to whom notice of such orders as aforesaid shall be given, shall, immediately after the receiving such notice, call together the principal inhabitants of such parish to a vestry or other meeting, to take into consideration the most speedy and effectual means of raising the number of men appointed to be raised by them in pursuance of this act, of which meeting two days publick notice shall be given in writing, by affixing the same on the church or chapel door of every such parish, or where there is no church or chapel, then on the church or chapel door nearest thereto, specifying the cause of calling such vestry or meeting; and it shall be lawful for the said overseers respectively, with the consent of the inhabitants of such vestry or

or meeting so assembled, to agree with any person or persons, subject to such approbation or rejection as herein is mentioned, to enter as a volunteer or volunteers to serve his Majesty either in the army or in the navy of *Great Britain*; and if any such overseers shall, pursuant to such consent, agree to give to such volunteer or volunteers any sum or sums of money, as a bounty or bounties for his or their engaging in either of such services, it shall be lawful for such overseers to make a rate upon the inhabitants of every such parish, according to the rate then made for the relief of the poor; and where two or more parishes shall be added together by virtue of this act, such rate shall be made generally for all such parishes so added together, and shall be divided and apportioned between them, in such proportions as the number of inhabited houses assessed to and paying the said duties in each such parish shall bear to each other respectively; which rates being published and approved of as rates for the relief of the poor are by law directed to be published and approved of, it shall be lawful for such overseers to collect and reimburse themselves all such sum or sums of money as they shall have paid for such volunteer or volunteers as aforesaid, and the overplus (if any) shall be applied, in like proportions as to volunteers, aforesaid, as part of the poor's rate; and all the like remedies, powers, rules, and methods, used, given, and applied, for ascertaining, levying, and collecting the rates for the relief of the poor (except where other provisions are made by this act), tend to this shall be used, applied, and put in force, for ascertaining, levying, act. and collecting the rates to be made by virtue of this act, in all and every the parishes charged with raising men for such service as aforesaid, in as full and ample a manner as if the same remedies, powers, rules, and methods were particularly set forth in this act.

XVI. And be it further enacted, That the overseers who are required or empowered by this act to levy any pay bounties money by a rate, or to pay the amount of any bounty, or any part thereof, to the men enrolled in his Majesty's service, or to the treasurer of the county, for the purposes of this act, shall and may pay the same out of any money in their hands, of the rates for the relief of the poor; and if they, or any of them, shall not have sufficient of such money for that purpose, then such overseers shall, and they are hereby required to make a rate for the relief of the poor sufficient to satisfy all probable claims arising or to arise thereon, by virtue of this act, in respect of the said bounties, as soon after the passing of this act as conveniently may be, and so as the full money for such bounties may be ready to be paid or advanced at the time of enrolment; and it shall be lawful for the said overseers to levy and collect the same in such manner as rates made for the relief of the poor may be levied and collected (except as herein is otherwise provided); and that such rates, being published and allowed as rates for the relief of the poor are by law directed to be published and allowed, the said overseers shall and may proceed to collect

Rates not to be quashed, but may be amended.

collect the same notwithstanding any appeal from such rate may be pending; and no such rate, after any application thereof, or any part thereof, for the payment of such bounties shall be totally quashed or set aside for any cause whatever, but the same shall and may be amended in such manner as shall be necessary for giving relief: and if any action or suit shall be brought against any person or persons, for any thing done in the levying or collecting the said rate in pursuance of this act, the same shall not be brought until fourteen days notice thereof, in writing, shall have been given to such person or persons, nor after a sufficient satisfaction, or a tender thereof, hath been made to the party or parties aggrieved, nor after six calendar months next after the fact committed; and every such action shall be brought in one of the courts of record at *Westminster*, or of the great sessions in *Wales*, as the case may require, and shall be laid in the county where the cause of action shall arise, and not elsewhere; and the defendant or defendants in such action or suit shall and may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act; and if the same shall appear so to be done, or if such action or suit shall be brought after the time herein-before limited for the bringing the same, or without fourteen days notice thereof, or in any other county or place, or after sufficient satisfaction made or tendered as aforesaid, that then the jury shall find for the defendant or defendants; or if the plaintiff or plaintiffs shall become nonsuit, or suffer a discontinuance of his, her, or their action or actions, or if a verdict shall pass against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and shall have such remedy for recovering the same, as any defendant or defendants hath or have for costs of suit in any other cases by law.

General issue.

Treble costs.

If rates cannot be collected in time for payment of bounties, the petty sessions may grant a certificate of the sums wanting to the receiver general of the land tax, &c. who shall advance the money.

Limitation of actions.

collect the same notwithstanding any appeal from such rate may be pending; and no such rate, after any application thereof, or any part thereof, for the payment of such bounties shall be totally quashed or set aside for any cause whatever, but the same shall and may be amended in such manner as shall be necessary for giving relief: and if any action or suit shall be brought against any person or persons, for any thing done in the levying or collecting the said rate in pursuance of this act, the same shall not be brought until fourteen days notice thereof, in writing, shall have been given to such person or persons, nor after a sufficient satisfaction, or a tender thereof, hath been made to the party or parties aggrieved, nor after six calendar months next after the fact committed; and every such action shall be brought in one of the courts of record at *Westminster*, or of the great sessions in *Wales*, as the case may require, and shall be laid in the county where the cause of action shall arise, and not elsewhere; and the defendant or defendants in such action or suit shall and may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act; and if the same shall appear so to be done, or if such action or suit shall be brought after the time herein-before limited for the bringing the same, or without fourteen days notice thereof, or in any other county or place, or after sufficient satisfaction made or tendered as aforesaid, that then the jury shall find for the defendant or defendants; or if the plaintiff or plaintiffs shall become nonsuit, or suffer a discontinuance of his, her, or their action or actions, or if a verdict shall pass against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and shall have such remedy for recovering the same, as any defendant or defendants hath or have for costs of suit in any other cases by law.

XVII. Provided always, and be it further enacted, That if it shall appear to such justices at such petty sessions, that such rate cannot be conveniently collected within due time for payment of the said bounty or bounties, and sufficient monies shall not be in the hands of the said overseers to satisfy the same, it shall and may be lawful for such justices to make order therein, and grant a certificate thereof, and of the amount of the bounty or bounties, and sum or sums wanting to defray the same, directed to the receiver general of the land tax for the county, or to the collector thereof for the district, or any of the collectors of customs or excise of the division where such justices shall act, as to such justices shall seem most expedient; upon producing of which certificate to the officer to whom the same shall be directed, he shall be obliged to advance the sum mentioned in such certificate to be wanting as aforesaid, to be paid to the person or persons enrolled, or to the treasurer of the county, or to either of them, in such proportions as shall be directed by such certificate, out of any publick monies in his hands; and such officer so advancing the same, shall be reimbursed by an order of the justices at the petty sessions

Sums so advanced to be reimbursed,

seffions for the same district or division, with all charges necessary incurred, out of the first monies which shall come into the hands of the respective overseers of the poor of the rates for the relief of the poor, within and for the respective parishes or places for which the men, to whom or to whose use such monies were overseers. respectively advanced, were raised in pursuance of this act.

XVIII. Provided always, and be it further enacted, That it shall be lawful for the justices of the peace before whom any person shall be brought to be examined, touching his consent to enter into either of the said services, to direct any sum, not exceeding one third part of the bounty agreed to be paid to him on his engaging to serve, to be advanced to such person, or to his family, and in such proportions, as he shall request at the time of his enrolment; and that the residue of such bounty shall be paid into the hands of the said treasurer or treasurers of the county, there to remain until the same shall become payable according to the directions of this act.

XIX. And be it further enacted, That every person who shall agree to enter himself as a volunteer in either of such services as aforesaid, shall be produced before the officer or officers appointed to regulate the same, at the nearest place of rendezvous to any parish for which such volunteer shall agree to serve; and in case such officer or officers shall, on examination, approve of such volunteer or volunteers to serve his Majesty, then such volunteer or volunteers may forthwith be brought before two or more justices of the peace acting in and for the county where any such parish shall be situate; and in case it shall appear to such justices of the peace, that such person or persons hath or have voluntarily entered himself or themselves in either of such services, then such justices shall, and they are required, forthwith to certify under their hands that such person or persons hath or have voluntarily entered himself or themselves in the service of his Majesty's army or navy, as the case may be, setting forth therein the place or places of the birth or lawful settlement, age or ages, calling or callings, of him or them respectively, if the same shall be known; and shall also, at the foot of every such certificate, enter the amount of the sums to be paid as a bounty or bounties to such volunteer or volunteers, on his or their entering into such service; and the sums (if any) which shall be directed to be advanced to him or them at the time of his or their enrolment, and also the sums to be paid to the treasurer of the county according to the directions of this act; and which certificates, being cut indentwise from duplicates of the same, shall be delivered to the proper regulating officer or officers, and the regulating officer or officers shall thereupon cause such person or persons respectively to be enrolled in his Majesty's service of the army or navy accordingly; and the said justices before whom such volunteer shall be examined, shall at the same time and place make an order under their hands and seals, requiring the overseers of the poor of the parish or parishes where such volunteer has been raised, to pay into the hands of the treasurer of the county, within the space of four months, the sum of £100, to be paid to the treasurer of the county, and the remainder to be paid to the volunteer or volunteers, on his or their being discharged from the service of his Majesty.

bounties remaining due.

If the regulating officer or officers reject a volunteer, the overseers may appeal to the petty sessions.

Regulating officer, before hearing appeal, to write his reasons for such rejection.

Order of petty sessions to be final.

If the determination of the officer be rescinded, and a certificate be delivered to him, he shall cause the volunteer to be enrolled.

Officer to enter the names, &c. of persons enrolled in a book, and transmit duplicates to the secretary at war, or secretary of the admiralty.

Parishes for which volunteers are enrolled, to be discharged in respect of them, unless they appear disqualified before admission into a regiment or in a ship of war.

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teen days after the date of such order, the full bounty money then remaining due.

XX. And be it further enacted, That in case the regulating officer or officers at the nearest place of rendezvous aforesaid, shall reject any person or persons produced before him or them as such volunteer or volunteers as aforesaid, as unfit to serve his Majesty in either of the said services, and the overseers of any parish for which such person or persons shall have been tendered to serve, shall think themselves aggrieved by such determination of such officer or officers, it shall and may be lawful for such overseers, on giving immediate notice to such regulating officer or officers of their intention to appeal to the justices of the district wherein such parish shall be situate, assembled at the next petty sessions to be holden by virtue of this act; and such regulating officer or officers, on receiving such notice, shall, and he and they is and are hereby required, before the time of hearing such appeal, to set down his or their reasons, in writing, for such rejection, which reasons, being produced before such justices at such pretty sessions, it shall be lawful for such justices, on due consideration thereof, and on due examination of the person or persons so rejected, to give order therein, as in their discretion shall seem expedient, which orders shall be final and conclusive to all parties; and in case such justices shall see cause to rescind the determination of such regulating officer or officers, and shall cause to be delivered to such regulating officer or officers, such certificate as is herein-before directed, then such regulating officer or officers shall forthwith cause such person or persons so raised and approved of, to be enrolled in his Majesty's service as a volunteer or volunteers: and the said officer or officers shall cause an entry to be made, in some book to be kept by him or them, of the names of volunteers or persons enrolled by virtue of this act, and of the parishes of their last abode or lawful settlement, if they can be known, and of their ages and descriptions, and sums paid on their account, and to whom the same shall be paid, and shall cause true copies or duplicates of such entries to be transmitted to the secretary at war, or secretary of the admiralty for the time being, as the case may require, and which shall be made in the form herein-after mentioned; and the parish or parishes for which such volunteer or volunteers shall be so enrolled to serve, shall be discharged in respect to such volunteer or volunteers so enrolled, unless such volunteer or volunteers shall afterwards, and before he or they shall be admitted into some regiment, or entered in one of his Majesty's ships or vessels of war respectively, appear to be within any of the disqualifications in this act expressly mentioned, and shall be, by reason of such disqualification, discharged from such service, or otherwise taken out of the same, then and in every such case the parish or parishes shall be liable to provide other fit and able men in lieu of those who shall so appear to be disqualified, to be raised in the manner directed by this act, and the bounty agreed to be given and remaining unpaid, may be applied for that purpose.

XXI. And be it further enacted, That as soon as conveniently Overseers to
 may be after any person or persons shall be enrolled as such make returns
 volunteer or volunteers as aforesaid, for any place or places, the of volunteers
 overseers of the poor of or acting for such place or places, shall enrolled to the
 make a return thereof to the justices of the district, at their petty sessions.
 petty sessions to be holden next after such enrolment, specifying
 the name, the place of the birth or lawful settlement, the age,
 and the calling, of every such person, if the same can be known,
 together with the amount of the sum or sums of money agreed
 to be paid by way of bounty to every such volunteer, and what
 sums shall have been advanced to such volunteer or volunteers
 of the said bounty, which shall be verified on oath (if required)
 and which oath such justices are hereby authorised to administer; The justices
 and every such return so made, the said justices shall cause to be to cause re-
 delivered to the clerk of the peace of the county, to be enrolled turns to be de-
 at the sessions there, at the next general or quarter sessions to be livered to the
 holden for such county; and in case returns of the whole num- clerk of the
 ber of men appointed to be raised by and for any place or places peace, to be
 shall not be made to the justices of the district at such petty enrolled at
 sessions, within the space of three weeks next after the service. If returns of
 of notice of the order of general sessions for raising such number the whole
 of men, it shall and may be lawful for the justices of such petty number to be
 sessions to summon before them the overseers of the poor of or raised for
 acting for such place or places making such default; and in case any place
 it shall not be made to appear by such overseers, to the satisfac- shall not be
 tion of such justices, that such default hath not happened by made, in li-
 reason of any wilful neglect of, or disobedience to, the said mited time,
 order of sessions, and that the same hath been unavoidable, it the petty ses-
 shall be lawful for such justices, and they are hereby required, sions may
 to fine the said overseers in a sum which shall be ten pounds over summon the
 and above the amount of such sum as shall appear (as far as the overseers, and
 same can be ascertained) to have been given on an average as a fine them for
 bounty to men enrolled by virtue of this act within the said dis- neglect.
 trict; or in case no men shall be raised within the said district, then
 in the nearest district for which men shall then have been raised,
 for each man appointed to be raised by or for such place or places,
 and whereof such default shall have been made as aforesaid; and If fines be not
 in case the same shall not be forthwith paid, it shall be lawful for forthwith paid
 the said justices to levy the same by warrant under their hands they may be
 and seals, by distress and sale of the goods and chattels of such levied on the
 overseers, returning the overplus, (if any) to the owner or overseers
 owners thereof, in case such justices shall adjudge the default to goods, or
 have been wilfully made by the said overseers; or to cause the raised by a
 same to be raised by a like rate as aforesaid upon any inhabitant rate on the
 or inhabitants of such place or places, in case such inhabitant inhabitants
 or inhabitants shall be adjudged to have wilfully made such making de-
 fault, such inhabitant or inhabitants being previously sum- fault.
 moned by such justices to shew cause why such rate should not
 be made; but in case such justices shall in their judgement If justices
 deem such default unavoidable, and such overseers shall require deem the de-
 further time for raising the number of men appointed to be fault unavoid-
 ble, they may
 raised

allow further time for raising the men:

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 raised by them for his Majesty's service, it shall be lawful for such justices, by their order under their hands, to allow such further time as they shall think reasonable, not exceeding the space of fourteen days from the date of such order; and every such order shall be peremptorily complied with, under pain of forfeiting such sum of money as is before-mentioned for each man of whom default shall be so made, to be levied as herein-before is directed, in case the justices shall adjudge the default to have been wilfully made, but if the said justices shall adjudge the default to be unavoidable, then the said fine shall be raised in like manner as any bounty or bounties to be paid to volunteers is by this act directed to be raised, and shall be paid to the treasurer of the county for the purposes of this act.

But shall proceed in hearing appeals of those parishes.

Fines to be levied only against the inhabitants making default.

Persons aggrieved by any rate applicable to the purposes of this act, shall appeal to the next petty sessions of the district, where it shall be finally determined.

Bounty money and fines to be paid to the county treasurer, to be placed to certain accounts.

XXII. Provided always, and be it further enacted, That in every case where justices shall allow further time for raising the number of men appointed to be raised for his Majesty's service, such justices shall proceed, as herein-before directed, in hearing and determining the appeals of such parishes to which such further time shall be allowed.

XXIII. Provided also, and be it further enacted, That all fines which by this act may be levied of any inhabitant or inhabitants of any parish or place, shall be levied against such inhabitant or inhabitants only who shall be adjudged to be guilty of any neglect or default, by distress and sale of the goods and chattels of such inhabitant or inhabitants respectively, under the like powers and methods as any other money may be levied by distress and sale by this act: provided always, That in case any person or persons shall find him, her, or themselves aggrieved, by any rate or assessment made for the relief of the poor, whereof any part shall be necessarily applicable, or shall have been applied, for the purposes of this act, every such person or persons shall, and he and they is and are hereby required to make his or their appeal to the justices of the district where such place or places are situate, at the next petty sessions of the peace holden for the same district or division, and not to the next general or quarter sessions of the peace for the county; and the justices of the peace assembled at such petty sessions are hereby authorised and required, on proof of reasonable notice to the overseers making such rate, to receive such appeal, and to hear and finally determine the same: provided always, That this act shall not extend to any appeal to any rate, where the same is not applicable, or has not been applied, in part or wholly, to the purposes of this act.

XXIV. And be it further enacted, That all and every sum and sums of money agreed to be given as a bounty or bounties, or paid thereout to any man or men raised in pursuance of this act, (except such sums as shall have been directed by the justices of the peace to be advanced to any man at the time of his enrolment in his Majesty's service, by virtue of this act), and also all fines levied upon the overseers or inhabitants by distress and sale as aforesaid, or by rate, for default in not raising the number of men appointed to be raised by virtue of this act, shall be forthwith paid into

into the hands of the treasurer of the county, for the uses and purposes of this act; and such respective treasurers shall place the amount of the fines, to the account of the respective parishes paying the same, and the amount of the sums paid of the bounties, to the account of the volunteer or volunteers for whose use the same was collected; and that in all cases where such default as aforesaid shall be made, it shall be lawful for any person or persons, having authority under his Majesty to provide men for the service of the navy, to produce any persons as substitutes, or for any such persons voluntarily to come before any two or more justices of the peace of the district where the parishes making such default shall be situate, and be examined before such justices as to their consent to serve in his Majesty's army or navy, as substitutes for themselves as such parishes respectively, and who shall, and they are hereby authorised and required to settle the bounty or bounties to be paid for such substitutes respectively; and such justices shall, in the case any such persons shall be approved of by the regulating officer or officers as aforesaid, certify such consent and approbation, together with the names, places of birth, or lawful settlement, ages and callings, of such persons respectively, and the bounties agreed to be paid, in the manner herein-before directed with respect to volunteers; and such justices who are hereby respectively required to grant certificates on the enrolment of any person or persons as a volunteer or volunteers, or substitute or substitutes, by virtue of this act, shall transmit a duplicate of every such certificate, under their hands, to the clerk of the peace for the county, to be enrolled at the sessions there, at the next general or quarter sessions to be held for such county, and thereupon such regulating officer shall cause such persons to be respectively enrolled as such substitutes as aforesaid, and such parishes respectively for which such substitutes shall be raised, shall be discharged in like manner as aforesaid, unless such substitutes shall appear to be disqualified, and by reason thereof be taken out of his Majesty's service in the manner before mentioned; and the said justices shall thereupon make an order upon such treasurer as aforesaid, to transfer, in his account, unto the use of such persons respectively so enrolled as substitutes, such sums of money, not exceeding the amount of the fines levied for such default as aforesaid, as shall have been agreed to be paid as bounties to such persons respectively; and the said justices shall and may, at any time after such substitutes shall be respectively entered into any regiment, or on board any ship of war, also order such further sum of money out of the residue of such fines (if any) to be paid to any person or persons duly authorised to provide men for the army or navy, who shall appear to such justice to have used diligence in providing any such substitutes, as a reward for the labour, or in payment of lawful charges to be incurred by bringing such substitute to be enrolled; and the residue (if any) that shall remain of such fines after payment of such sums as aforesaid, or for want of sufficient substitutes being provided, shall be in the disposal of the justices at the general quarter sessions of the peace, sessions in the bounties and certifying the consent and approbation of the substitutes.

Regulating officer to cause substitutes to be enrolled, which shall discharge the parishes, unless the men be disqualified as aforesaid.

Justices to order the treasurer to transfer bounties to the use of substitutes, and shall order rewards to the persons providing them.

Residue of fines to be applied by the quarter sessions in providing them.

men for the army or navy; and if any remain at Easter sessions 1797, an account to be transmitted to the treasury.

Certificates of regulating officers to be transmitted with the persons enrolled, and delivered to the commanding officer of the regiments or vessels in which entered.

Commanding officers, within a limited time, to make out tickets for payment of bounty money due.

If the person shall have entered into the army, the ticket to be delivered to the county treasurer, and a copy transmitted to the paymaster general.

County treasurer to pay tickets to the persons presenting them, to be paid over to the volunteers.

Penalty for default in payment.

and shall be by them applied in providing men for the augmentation of his Majesty's army or navy, in such manner as in their discretion shall seem expedient, at any time before the time of holding the *Easter* quarter sessions, one thousand seven hundred and ninety-seven; and the said justices shall, in case any part thereof shall remain at the *Easter* sessions in the year one thousand seven hundred and ninety-seven, cause to be transmitted an account thereof to the commissioners of his Majesty's treasury.

XXV. And be it further enacted, That every such certificate so granted, signed by such regulating officer or officers, shall, in all cases where any such person enrolled by virtue of this act shall be placed under the command of any other officer or officers, either of the army or navy, be transmitted along with such person so enrolled, and delivered to the commanding officer of the regiment, battalion, or company, or of the ship or vessel in which such persons shall be entered to serve; and such commanding officer shall, within four days from the time of such person being admitted into any regiment, and before such volunteer shall be compelled to go out of the county for which he shall serve, or from the time of such person's joining such regiment, which shall first happen, or from the time of such person being mustered and rated on board any ship, and before such ship or vessel of war shall proceed to sea, as the case may be, make out a ticket or tickets for the payment of the bounty money agreed to be paid to such person on his engaging to serve, and then remaining due, and which shall be expressed in the certificate granted in that behalf, in such manner as if such bounty money had become due to such person on account of arrears of pay as a private in such regiment, if such person shall enter into the army, or on account of wages as a seaman on board such ship or vessel, if such person shall enter into the navy; and if he shall have entered himself to serve in his Majesty's army, then the pay ticket so made out, shall be delivered to the treasurer of the county to whom the same is hereinbefore directed to be paid, by the officer or officers making out the same, with a certificate endorsed thereon, and signed by the said officer, acknowledging the receipt of such volunteer, and his admission into his Majesty's army, together with the regiment into which such volunteer shall have been admitted, and that a copy of every such pay ticket shall be transmitted to the paymaster general of his Majesty's army, within one month after the date thereof; and the treasurer of the county to whom such pay ticket shall be presented, with such certificate endorsed thereon, as aforesaid, shall forthwith pay the same to the person or persons presenting such ticket, and the same shall be paid over to the respective volunteers entitled thereto without delay; and in default thereof, the officer or officers who shall have received the same, shall be liable to the pains and penalties inflicted by an act passed in the last session of parliament, or which may be inflicted by any act to be passed in this session of parliament, for punishing mutiny and desertion, and for the better payment of the army and their quarters, against officers for wilfully withholding the pay of their soldiers;

soldiers; and in case such volunteer shall be entered to serve in Residue of his Majesty's navy, then the residue of such bounty money or part thereof, may be paid to such person, or his wife, father, mother, or children, in such proportions as he shall request, in the navy, may be entered in the manner directed by an act, made in the thirty-first year of his late majesty King George the Second, intituled, *An act for the encouragement of seamen employed in the royal navy, and for establishing a regular method for the punctual, frequent, and certain payment of their wages, and for enabling them more easily and readily to remit the same for the support of their wives and families, and for preventing frauds and abuses attending such payments, or by any other act relating to the payment of such wages*: provided always, That if the bounty the whole or any part of such bounty money so remaining due, shall, at the request of such volunteer, be to be paid to himself, the commanding officer of the ship in which such person is appointed to the volunt to serve shall apply to the commissioners of the navy, or to the resident commissioner at the port where the ship may then be, for payment of the same, producing the ticket of enrolment (on which ticket of enrolment the commanding officer of the ship shall apply to the commissioners of the navy, or to the commanding officer of the ship shall appear, and he is hereby required to indorse the sum, to be received by such volunteer, which indorsement, being signed by such volunteer and attested by such commanding officer, shall be a sufficient authority and discharge to any officer of the navy making payment of the same, under the direction of the said commissioners of the navy; and that where such person shall desire to any portion of the said bounty money then remaining due, to be paid to his family as aforesaid, the same shall be remitted in the manner directed by the said act of the thirty-first year of the reign of his said late Majesty, (subject nevertheless to such alteration as the case may require), and shall be made payable by the treasurer of the county in and for which the said volunteer hath been raised to serve; and that all the rules, forms, directions, and methods, used for the payment of wages due to seamen, or payable to their families, in pursuance of the said act of the thirty-first year afore- said, or by any such other act of parliament, (except as aforesaid), shall be used in like manner, for the payment of such bounty wages to money to the families of all and every the men who shall be entered into his Majesty's service, in pursuance of this act; and in this act, as full and ample a manner as if the said acts, and every clause therein contained, had been extended and applied particularly by this act to such cases.

XXVI. And be it further enacted, That it shall be lawful for Quarter or the justices of the peace, assembled either at the general or quarter sessions, or for the justices at their petty sessions, within their respective jurisdictions, or any two or more of them respectively, from time to time to issue their order or warrant, under their hands and seals, requiring the attendance of the high constable, constable, tythingman, headborough, or overseers of the poor of, or acting for, any parish or parishes, at such time and place as in such order or warrant shall be expressed; and if any such officer shall refuse or neglect to appear according to such order or warrant, for neglect of duty.

or shall refuse or neglect to make such return of all such matters and things directed to be done by them respectively in pursuance of this act, as shall be required of them by the said justices respectively; or to comply with such orders and directions as he or they respectively shall from time to time receive from the said justices, or any two or more of them respectively in pursuance of this act, or shall, in making such return, be guilty of any fraud or wilful partiality, or gross neglect in his or their duty, the said justices, or any two or more of them respectively, are hereby empowered and required, at their discretion, to fine such person or persons in any sum not exceeding twenty pounds, nor less than five pounds; and in case of any fraud, wilful partiality, or gross neglect as aforesaid, over and above such penalty, to commit the person so offending to the common gaol, there to be kept, without bail or mainprize, for the space of one calendar month.

XXVII. And whereas the powers of this act may not be fully executed, before the usual time in the year of the overseers of the poor going out of office; be it further enacted, That it shall be lawful for the justices of the peace, acting in and for the respective districts or divisions, at their respective petty sessions (whenever they shall see occasion, by reason of any of the powers of this act remaining unexecuted, in part or in the whole, at any time previous to, or on the appointment of other overseers for the same place or places) by any order under the hands and seals of any two or more of them, to order and direct the overseers, who shall have been in office at the commencement of this act, to continue in their said respective offices, for the purposes of effectually and completely carrying into execution the powers and trusts given or vested by this act; and such overseers shall, by virtue of the said order, (notwithstanding other overseers shall have been or may be appointed for the same place or places respectively for general purposes) continue to have and exercise all the powers and jurisdictions incident or belonging to their respective offices, or given or vested in them by this act, so far as the same are necessary to carry into execution the powers of this act, and shall continue to do and perform all the like duties and offices required to be done or performed by them respectively by this act, as fully and effectually, and under the like pains, penalties, and forfeitures, as they respectively could, might, or ought to have, do, or perform the same, or any of them, at any time after the commencement of this act, and before such appointment of other

but if no such order be made, the overseers for the time being shall execute it.

Justices may appoint overseers in the stead of such

XXVIII. Provided always, and be it further enacted, That if any overseer shall die or remove from the place for which he was appointed, or become insolvent before the expiration of his office

office or duty under this act on oath thereof made, it shall be lawful for such justices of the peace as aforesaid, to appoint another overseer in his stead, for the purpose of completely carrying this act into execution, who shall continue in office accordingly; and in case of removal, such overseer shall give an account, on oath to the said justices, of all matters and things done by him in execution of this act, and shall comply with such orders and directions as he shall receive from the said justices touching the execution of this act, under the like penalties as are inflicted on overseers in office for any neglect of duty; and in case of the death or insolvency of such overseer, his executors, administrators, or assigns, shall, within forty days after his decease or insolvency, in pursuance of an order in writing signed by any two such justices as aforesaid, attend such justices, and give an account to the best of their knowledge and belief, of all things done by such person deceased or insolvent, touching the execution of this act, and shall in like manner, and under the like penalties, comply with such orders as they shall respectively receive from the said justices in relation to this act.

XXIX. And be it further enacted, That the justices of the peace of the several counties, cities, towns, boroughs, and places before mentioned, shall, at their respective quarter sessions, held within their respective counties and places, next after the day of Easter in the year one thousand seven hundred and ninety-seven, issue their orders under the hands of any two of them, directed to the treasurer or treasurers of the county, requiring the said treasurer or treasurers to deliver in an account in writing, signed by himself or themselves, of all sums of money by him or them received by virtue of this act, and on what account, under the heads and according to the form in the schedule hereunto annexed; and if it shall appear, by any such account, that any sum or sums of money received by him or them for or on account of any bounty or bounties, agreed to be given to men on their entering into his Majesty's service, or for or on account of fines levied for default in not raising the proper number of men, remain unaccounted for by such treasurer or treasurers, according to the directions of this act, it shall be lawful for the said justices, or any two of them by their warrant under their hands and seals, to order and direct such treasurer or treasurers, within fourteen days after the date of such warrant, to pay into the hands of the receiver general of the county, or his deputy, the balance due from such treasurer or treasurers as aforesaid, which receiver general, or his deputy, shall give acquittances for the same.

XXX. And be it further enacted, That the justices of the peace to whom such accounts shall be delivered, shall issue their orders or warrants, under the hands and seals of any two of them, to the acting overseers of the poor of any parish or parishes within their respective divisions, for which any man or men shall have been appointed to be raised in pursuance of this act, and for which any sum or sums of money agreed to be given as a bounty or bounties to such man or men, or directed to be levied as a fine or poses of this act.

Such as remove to give an account on oath to the on the like penalties as are inflicted on overseers in office for any neglect of duty; and the executors or assigns of such as die, or become insolvent, to attend the justices and obey their orders.

or to make a
rate for the
same.

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or fines for default in not raising the proper number of men, shall appear not to have been fully paid into the hands of the treasurer or treasurers of the county, by which orders or warrants the said justices shall require the said overseers of the poor for the time being in case such sum or sums of money shall not appear to them to have been actually assessed and raised upon the parish, by the persons holding the office of overseers of the poor at the time of the men's enrolment, or if the same shall appear to have been so actually assessed and raised, and to have been since applied to the use of such parish or parishes, in any other manner than is directed by this act, then and in such case to pay the sum and sums in arrear into the hands of the said treasurer or treasurers, out of any monies in their or any of their hands, of the monies raised for the relief of the poor in such parish or parishes, or if they shall not have money sufficient for that purpose in their hands, then to make a rate for the same, in like manner as rates are usually made for the relief of the poor.

Overseers to return defaulters in that office who have levied rates and not paid the money to the county treasurer, and justices may issue their warrant for payment of the same;

and if the party be dead, &c. may direct the acting overseers to raise and pay the arrear.

XXXI Provided always, and be it further enacted, That if such orders or warrants of justices as last aforesaid, shall be directed to any overseer or overseers who shall not have been in office at the time of the men's enrolment in pursuance of this act, and it shall appear to the said overseers of the poor, to whom any such order or warrant shall be directed, that the persons holding the office of overseers of the poor at the time of the men's enrolment, actually caused all and every the sum or sums of money agreed to be given as a bounty or bounties, or directed to be paid as a fine or fines, for default in not raising the number of men appointed to be raised, to be assessed and levied as by this act is directed, and that the same, or any part thereof, yet remains in the hands of the said then overseers of the poor, it shall be lawful for such overseers of the poor, to whom such orders or warrants shall be directed, and they are hereby required to return such default, with the sums in arrear, and the names of the defaulters, by endorsing the same on the back of such order or warrant, to the justices granting the same, or to such other justices as shall attend at any meeting at which such return shall be made, and such justices may examine on oath into the matters contained in such return; and, if they see cause, may issue their order or warrant, directed to the person or persons making such default, requiring them to pay to the treasurer or treasurers of the county the sum and sums in arrear, at a time to be limited in such order or warrant, not later than fourteen days after the date thereof; provided also, That if the person or persons, by whom the sum or sums of money, so returned to be in arrear, shall have been assessed or raised, and not applied as aforesaid, shall be dead, or shall have become bankrupt or insolvent, or shall not be then resident within the jurisdiction of such justices, it shall and may be lawful for any two of them, by like order or warrant as aforesaid, to direct the then acting overseers of the poor to raise and pay the sum or sums in arrear to the treasurer or treasurers of the county, in like manner

per as they are hereby authorised to direct payment where the same shall not have been actually assessed or raised as aforesaid, for the purposes of this act.

XXXII. And be it further enacted, That the treasurer or treasurers of the county shall pay over, within fourteen days after he shall receive the same, all sum and sums of money received by him or them at any time after the said *Easter sessions* in the year one thousand seven hundred and ninety-seven, on account of men raised for his Majesty's service by virtue of this act, or on account of fines directed to be levied for default in not raising the number of men appointed to be raised as aforesaid, to the receiver general of the county, or his deputy, in like manner as they are hereby directed to pay any sum of money then remaining in their hands; and shall also, on demand made by any justice of the peace of the county, from time to time deliver an account, signed as aforesaid, of all monies which they shall receive at any time after the said *Easter sessions* in the year one thousand seven hundred and ninety-seven, applicable to the uses and purposes herein mentioned, in like manner as they are hereby directed to deliver in accounts of the monies then remaining in their hands.

XXXIII. And be it further enacted, That if any treasurer of any county shall refuse or neglect to deliver in any such account to the justices of the peace as aforesaid, or to pay to the receiver general of such county all such sum and sums of money as he shall receive an account of men raised for his Majesty's service, or on account of fines directed to be levied for default in not raising the number of men appointed to be raised by virtue of this act, within the respective times herein-before limited, or if any person holding the office of overseer of the poor at the time of the men's enrolment, or any succeeding overseer, shall refuse or neglect within the time limited by any order or warrant of two or more such justices of the peace, to pay the sum required to be paid by the order or warrant of such justices to the treasurer or treasurers of the county, or shall refuse or neglect, in cases where the same shall be necessary, to make a rate for raising the sum required to be so paid, it shall and may be lawful for any two or more such justices to levy the same, by warrant under their hands and seals, by distress and sale of the goods and chattels of the person or persons so making default, and to direct the money so raised to be paid into the hands of the receiver general of such county, or his deputy, taking a receipt for the same, and the overplus (if any) after satisfying all charges and expences attending the same, to be paid to the person or persons against whom such warrant shall be made.

XXXIV. And be it further enacted, That the justices of the peace of the several counties, to whom any accounts shall have been delivered by the treasurer or treasurers of such counties respectively, shall, as soon as conveniently may be, cause the same to be transmitted to the commissioners of his Majesty's treasury, and shall also at the same time return what they the said done.

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said justices shall respectively have done thereupon in the execution of this act.

Treasury may demand from receivers general accounts of money received, and direct the same to be paid to the paymaster general, or the treasurer of the navy, to be applied to certain purposes.

Clerks of the peace, within 14 days after the quarter sessions after Easter 1797, to transmit to the secretary at war and admiralty, copies of returns, and certificates of men raised to serve in the army and navy respectively, &c.

on penalty of 500l.

Persons dis- qualified as herein speci- fied, not to be enrolled;

XXXV. And be it further enacted, That it shall and may be lawful for the commissioners of his Majesty's treasury, or any three of them, to demand from the receiver or receivers general of any county, an account of such sum and sums of money, as he or they shall receive in pursuance of this act, and to direct the same to be paid into the hands of the paymasters general of the army, or the treasurer of the navy, in such proportions as to them shall seem necessary, for the purpose of reimbursing the said paymasters and treasurer respectively the payments made by them in pursuance of this act; and such monies shall be applied to the re-payment of such sum and sums of money as shall appear by the tickets of enrolment to be due to the paymasters general and treasurer of the navy respectively, and which shall, in the course of his Majesty's service, have been paid by them respectively to any volunteer or substitute raised by virtue of this act, and also to pay such sum and sums of money as shall appear by the tickets of enrolment in the possession of the said paymasters general, or of his Majesty's commissioners of the navy, to be due to any other volunteers or substitutes, raised for the service of his Majesty's army or navy, by virtue of this act; and the residue thereof (if any) shall be applied for the use of his Majesty's military or naval service, under the direction of parliament.

XXXVI. And be it further enacted, That the clerk of the peace of every county shall, and he is hereby required, within fourteen days next after the general quarter sessions of the peace to be held next after the day of *Easter* in the year one thousand seven hundred and ninety-seven, to transmit to the secretary at war a copy signed by such clerk of the peace, of every return and certificate of men raised to serve in the army by virtue of this act; and also to transmit to the commissioners of the admiralty a copy, signed as aforesaid, of every return and certificate of men raised to serve in the navy by virtue of this act; and where such return or certificate shall be omitted to be made, such clerk of the peace shall certify such omission; both to the secretary at war, and the commissioners of the admiralty, in like manner, and also what proceedings shall have been had at any quarter sessions in relation to the raising substitutes, where the due proportion of men shall not have been raised by the respective parishes charged therewith; and if any such clerk of the peace shall refuse, or wilfully neglect to receive, deliver, make, record, or transmit any such returns as aforesaid, according to the directions and true meaning of this act, every such clerk of the peace so offending shall, for every such offence, forfeit and pay the sum of five hundred pounds.

XXXVII. Provided always, and be it further enacted, That no person shall be received or enrolled in his Majesty's service, by virtue of this act, who is not, in the opinion of the regulating officer or officers, such an able-bodied man as is fit to serve his Majesty, and is free from ruptures, and every other distemper,

& bodily weakness or infirmity, which may render him unfit to perform his duty in the army or navy, or who, in the opinion of such officer or officers, shall appear to be under the age of fifteen years, or above the age of forty-five years, nor any person being or having been, on or before the twentieth day of October one thousand seven hundred and ninety-six, an articled clerk or apprentice, nor persons serving under articles in the coal trade, until the expiration of the said articles (unless with the consent of the master of such clerk or apprentice, or of the master or such other persons as aforesaid); nor any person enlisted in any of his Majesty's forces, whether military or marine, or who has deserted therefrom, or who is already entered in his Majesty's navy; nor any poor man (not being a sea-faring man) who has more than two children born in wedlock: provided, That no person enrolled by virtue of this act shall, by reason of any such disqualification as aforesaid, be liable to be discharged from his Majesty's service, or taken out of the same, unless notice in writing of such disqualification shall be given to the officer or officers under whose command such person shall be, before the time of his entering into any regiment, or on board any of his Majesty's ships of war, and before the bounty hereby authorised to be paid to men raised by virtue of this act shall have been paid or satisfied to him; any thing before contained to the contrary notwithstanding.

XXXVIII. And be it further enacted, That every person enrolled by virtue of this act, and entered into any regiment or independant company of his Majesty's army, shall be liable to serve therein during the continuance of the present war, and for the space of one calendar month after the end of the war, if the regiment or independant company in which such person shall be serving shall be in *Great Britain*, or otherwise, for the space of one calendar month next after their arrival in *Great Britain*; and that every such person entering into the service of the navy, shall be liable to serve therein during the continuance of the present war, and for the space of one calendar month after the end of the war, if the ship on board which such persons shall serve shall be in any of the ports of *Great Britain*, or otherwise for the space of one calendar month next after the arrival of such ship in any such port.

XXXIX. And be it further enacted, That if any person, being enrolled in his Majesty's naval service by virtue of this act, shall desert such service, or, being actually entered in such service, shall list himself in any company, troop, or regiment, in his Majesty's military or marine forces, without first having a discharge in writing from the said commissioners of the admiralty, or such officer or officers as shall be duly authorised by them for that purpose, or shall strike or use any violence against any officer or officers under whose command he shall be put (such officer or officers being in the execution of his or their duty) or shall disobey any lawful command of such officer or officers, all and every person or persons so offending on shore, in any such part

but no such person, if enrolled, shall be discharged, unless notice of his disqualification be given before his entering into a regiment, or on board ship, and before receiving bounty.

Time for which persons shall be liable to serve.

Penalty for desertion from the naval service, listing in the military or marine forces, or striking or disobeying an officer.

of Great Britain aforesaid, shall suffer death, or such other punishment as by a court martial shall be inflicted; and such person or persons, being apprehended or in custody for such offence, shall and may be conveyed on board any of his Majesty's ships of war in commission; at any of the ports of this kingdom, and there detained and tried for such offence, in such manner, and by such court, as if such offence had been committed on board, or from on board, such ship of war.

Constables
may cause sus-
pected de-
serters from the
naval service
to be appre-
hended; and
if justices find
them to have
been enrolled,
they shall
commit them,
and transmit
an account to
the admiralty.

XL. And it is hereby further enacted, That it shall and may be lawful to and for the constable, headborough, or tythingman of the town or place where any person enrolled by virtue of this act in his Majesty's naval service who may be reasonably suspected to be a deserter, shall be found, to apprehend or cause him to be apprehended, and to cause such person to be brought before any justice of the peace, living in or near such town or place, who is hereby empowered and required to examine such person; and if by his confession, or the testimony of one or more witness or witnesses upon oath, or by the knowledge of such justice of the peace, it shall appear or be found that such person is a person duly enrolled in his Majesty's service by virtue of this act, such justice of the peace shall, forthwith, cause him to be conveyed to the gaol of the county or place where he shall be found, or to the house of correction, or other publick prison, in such town or place where such deserter shall be apprehended, or to The Savoy, in case such deserter shall be apprehended within the cities of London or Westminster, or places adjacent, and transmit an account thereof to the secretary of the admiralty for the time being, to the end such person may be proceeded against according to law; and the keeper of such gaol, house of correction, or prison, shall receive the full subsistence of such deserter during the time he shall continue in his custody, for the maintenance of such deserter, but shall not be entitled to any fee or reward on account of the imprisonment of any such deserter; any law, usage, or custom, to the contrary notwithstanding.

Gaolers to re-
ceive the sub-
sistence of de-
serters, but no
fee.

Justices to or-
der 20s. to be
paid by the
collector of
the land tax
to the appre-
hender of a
deserter from
the naval ser-
vice.

XLI. And, for the better encouragement of any person or persons to secure and apprehend any deserter who shall have been enrolled in the naval service by virtue of this act, be it further enacted, That such justice of the peace shall also issue his warrant, in writing, to the collector or collectors of the land tax money, of the parish where such deserter shall be apprehended, for paying, out of the land tax money arisen or to arise in the year one thousand seven hundred and ninety-seven, into the hands of such person or persons, who shall apprehend or cause to be apprehended, any such deserter from his Majesty's said service, the sum of twenty shillings for every such deserter that shall be so apprehended and committed; which sum of twenty shillings shall be satisfied by such collector or collectors to whom such warrant shall be directed, and allowed uppon his or their account.

Penalty of 5l.
for concealing
deserters from
the naval ser-
vice.

XLII. And be it further enacted, That if any person shall harbour, conceal, or assist, any deserter, from his Majesty's said naval service, knowing him to be such, every such person so offending

offending shall forfeit, for every such offence, the sum of five pounds; and upon conviction, by the oath of one or more credible witness or witnesses, before any one or more of his Majesty's justices of the peace, the said penalties shall be levied by warrant under the hands of the said justice or justices of the peace, by distress and sale of the goods and chattels of the offender, one moiety of the said penalty to be paid to the informer by whose means such deserter shall be apprehended, and the residue of the said respective penalties to be paid to the officer to whom any such deserter did or doth belong, to be credited by him in his accounts; and in case any such offender, who shall be convicted as aforesaid of harbouring or assisting any such deserter or deserters, contrary to the intent of this act, shall not have sufficient goods and chattels whereon distress may be made to the value of the penalties recovered against him for such offence, or shall not pay such penalties within four days after such conviction, then and in such case such justice or justices shall and may, by warrant under his or their hand and seal, or hands and seals, commit such offender to the common gaol, there to remain, without bail or mainprize, for the space of three months.

Application of the penalty.

Offenders not having sufficient distress, or not paying the penalty, may be committed for three months.

XLIII. And whereas there may be occasion for the quartering of the men enrolled by virtue of this act, in several parts of this kingdom; be it further enacted, That it shall and may be lawful to quarter and billet the men enrolled in his Majesty's service, by virtue of this act, while on shore, (except in the city and county of the city of London aforesaid) in such manner, and at such times and places respectively, and under such and the like powers, rules, regulations, restrictions, and provisions, as his Majesty's marine forces may be quartered and billeted, by an act passed in the last session of parliament, intituled, *An act for the regulation of his Majesty's marine forces while on shore*, or by any other act then in force for the regulation of his Majesty's marine forces.

Men enrolled may be billeted as the marines.

XLIV. And whereas there may be occasion for quartering the officers appointed by his Majesty, in pursuance of this act, and their assistants, before any men are enrolled, and of opening houses of rendezvous for the purpose of receiving such men: be it further enacted, That it shall and may be lawful to quarter and billet the officers appointed by his Majesty to act in the execution of this act, and their respective assistants, in such manner, and under such and the like powers, rules, regulations, restrictions, and provisions, as the men to be enrolled in his Majesty's service by virtue of this act may be quartered and billeted; and that each and every house or houses and place or places where such officers shall be quartered or billeted, or such of them as shall be thought necessary, it shall be lawful for the several and respective justices of the peace, having authority to act in the execution of this act, or any two or more of them, by their order in writing, under their hands and seals, to appoint and constitute a place or places of rendezvous for the reception of men enrolled by virtue of this act.

Officers appointed in pursuance of this act, and their assistants, may be billeted as the men to be enrolled.

Places where such officers are billeted may be appointed for reception of men enrolled.

KLV. And be it further enacted, That if any person or persons shall falsely make oath to any of the matters herein before required making false oath, counterfeiting certifi-

Anno regni tricesimo septimo Georgii III. c. 4. {1796.
 required to be verified, such person or persons shall suffer the like
 pains and penalties as are incurred by persons committing wilful
 and corrupt perjury; and that if any person or persons shall coun-
 terfeit, erase, alter, or falsify any certificate or return required
 or directed to be given or made by this act, or shall knowingly
 or wilfully make use of any certificate or return so counterfeited,
 erased, altered, or falsified, such person or persons shall, for every
 such offence, forfeit the sum of five hundred pounds.

Persons en-
rolled accused
of offences
punishable by
law, shall be
delivered over
to the civil
magistrate.

XLVI. Provided always, and be it further enacted, That if
 any person enrolled in his Majesty's service, by virtue of this act,
 shall be accused of any capital crime, or of any violence or of-
 fense against the person, estate, or property of any of his Ma-
 jesty's subjects, which is punishable by the known laws of the
 land, the officer or officers having the command of such party
 is and are hereby required to use his and their utmost endeavours
 to deliver over such accused person to the civil magistrate, and
 shall also be aiding and assisting to the officers of justice in seiz-
 ing and apprehending such offender, in order to bring him to
 trial; and if any such officer shall wilfully neglect or refuse upon
 application made to him for that purpose, to deliver over such
 accused person to the civil magistrate, or to be aiding and assisting
 to the officers of justice in the apprehending such offender, every
 such officer so offending, and being thereof convicted before any
 two or more justices of the peace for the county where the fact
 is committed, by the oath of two credible witnesses, shall be ut-
 terly disabled to have or hold any civil or military office or em-
 ployment within this kingdom, or in his Majesty's service, pro-
 vided the said conviction be affirmed at the next general quarter
 sessions of the peace for the said county, and a certificate thereof
 be transmitted to the commissioners of the treasury for the time
 being.

No person en-
rolled shall be
taken out of
the service,
but for a cri-
minal matter.

XLVII. And be it further enacted, That no person who shall
 be enrolled in his Majesty's service by virtue of this act, shall be
 liable to be taken out of his Majesty's service by any process
 whatever, other than by some criminal process for some criminal
 matter punishable by the known laws of the land.

Enrolments
and returns
to be made
in the follow-
ing form.

XLVIII. And be it further enacted, That the several forms
 of enrolment and of the returns which the justices of the peace,
 and other officers before-mentioned, are required to cause to be
 made and returned of the number of men levied for his Majesty's
 service, together with the other particulars herein-before directed,
 shall be made as follows; *videlicet*,

Names of men en- rolled.	Volun- teers or substitu- tes.	Parishes for which they serve.	Parishes they be- long to.	Age.	Descrip- tions of their per- sons.	Sums paid to volun- teers or substitu- tes.	Sums di- rected to be paid to the trea- surer of the coun- ty, and to whom.	Days on which they were enrolled, and at what places.

XLIX. And be it further enacted, That if any servant whatever, hired by the year or otherwise, shall be enrolled, and any settle dispute shall arise between his master or mistress, employer or employers, and such servant, touching any sum or sums of money due to such servant for or on account of his service performed before the time of such enrolment, or to such time as he shall be obliged to quit the service of his said master or mistress, employer or employers, it shall and may be lawful, on complaint made thereof to any justice of the peace for the county, city, liberty, town corporate, or place, where such master or mistress, employer or employers, shall inhabit, for such justice to hear and determine every such complaint, and to examine upon oath every such servant, or any other witness or witnesses, touching the same, and to make such order for the payment of so much wages to such servant, in proportion to the service he has performed, as to such justice shall seem just and reasonable; and in case of refusal or non-payment of any sums so ordered, by the space of seven days next after such determination, such justice shall and may issue forth his warrant to levy the same by distress and sale of the goods and chattels of such master or mistress, employer or employers, rendering the overplus to the owner or owners, after payment of the charges of such distress and sale.

L. Provided also, and be it further enacted, That this act, or any thing herein contained, shall not be deemed or construed to be a precedent on any future occasion to diminish or be prejudicial to the rights, liberties, customs, privileges, immunities, and exemptions to which the mayor and commonalty, and citizens, of London,

of the city of *London*, or the freemen, citizens, or inhabitants of the said city are entitled to enjoy by prescription, act of parliament, charter, usage, or otherwise howsoever.

How fines exceeding 20l.
(except for not raising the proportion of men) shall be recovered;

and how fines not exceeding that sum.

Offenders may be committed for want of distress.

Application of fines.

No order to be removed by Certiorari, nor execution to be superseded.

Clerks of the peace, treasurers, clerks of petty sessions, constables, &c. to receive such rewards as the quarter sessions shall judge proper, who shall direct payment out of the county rates;

LI. And be it further enacted, That all fines, penalties, and forfeitures by this act imposed, which shall exceed the sum of twenty pounds (except the fines to be levied for not raising the proportion of men as herein-before is directed) shall be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or the courts of great session in the principality of *Wales*; or the courts of the counties palatine of *Chester*, *Lancaster*, and *Durham*, (as the case shall require), wherein no esjogn, privilege, protection, wager of law, or more than one imparlance, shall be allowed; and that all fines, penalties, and forfeitures, by this act imposed, which shall not exceed the sum of twenty pounds, shall, upon proof upon oath of the offence before any two or more justices of the peace of the county or place where the offence shall be committed, be levied by distress and sale of the offender's goods and chattels, by warrant under the hands and seals of such justices, rendering the overplus (if any) on demand, after deducting the charges of such distress and sale, to the person whose goods and chattels shall have been so distrained and sold; and for want of sufficient distress such justices are hereby required, in all cases where no particular time of commitment is herein-before directed, to commit such offender to the common gaol of the county or place where the offence shall have been committed, for any time not exceeding three months; and the money arising by all such fines, penalties, and forfeitures, the application whereof is not otherwise particularly directed by this act, shall be paid one moiety thereof to his Majesty, his heirs and successors, and the other moiety thereof, with full costs of suit, to him or them that will inform or sue for the same.

LII. And be it further enacted, That no order of conviction made by any justice or justices of the peace, by virtue of this act, shall be removed by *Certiorari* into any court whatsoever; and that no writ of *Certiorari* shall supersede execution, or other proceedings upon any such order or conviction so made in pursuance of this act; but that execution and other proceedings shall be had and made thereupon; any such writ or writs, or allowance thereof, notwithstanding.

LIII. And be it further enacted, That the respective clerks of the peace, treasurers, clerks of justices at petty sessions, constables, and other officers, who are hereby respectively required to execute this act in any of the particulars herein mentioned, and who shall respectively execute the same to the satisfaction of the justices of the peace, at their respective quarter sessions assembled within the said counties, cities, towns, cinque ports, liberties, and places herein mentioned, shall have and receive such rewards, and no other (except such rewards as shall be directed to be paid to any person for his pains or charges in raising substitutes as herein-before is directed) for their care and trouble in and about the

the executing this act, and for their respective expences and charges in the same, as the said justices shall judge the said officers to have deserved; and the said justices shall, after allowance thereof, direct the same to be paid by the treasurer, or other officer of such county, out of any money in his hands of the county rates; and if such treasurer or officer shall not have sufficient and if they money in his hands of the county rates to pay the same, then shall be insufficient, they such justices shall, and are hereby authorised and required, to make a rate for the payment of the same, in such manner and rate for the gaols or county bridges, or any other purposes for which the rate commonly called *The County Rate* is or may by law be applicable.

LIV. Provided always, and be it further enacted, That if any If a place united with any county for the purposes of this act, is not liable to such county rate, then the said justices hereby appointed for the carrying into execution the purposes of this act, shall, and they are hereby authorised and required, jointly to ascertain the proportions of such rate which ought to be defrayed by such district, town, liberty, or place, according to the number of inhabited houses paying taxes within the same, and the amount so ascertained shall be levied within such district, town, liberty, or place, by the justices thereof, by a rate, in the same manner as any justices might in a county levy money for county purposes.

LV. And be it enacted, That the justices of the peace at their first meeting, for the purposes of carrying this act into execution, shall direct, and are hereby required to direct the treasurer or treasurers of the county to whom any sum or sums of money shall have been directed to be paid on account of bounty or fines, in pursuance of an act of the thirty-fifth year of his present Majesty, intituled, *An act for raising a certain number of men in the several counties in England for the service of his Majesty's navy, to render an account (in the form directed by an act to enforce the due execution of the before recited act), of all and every sum and sums of money whatever that shall have been paid to the said treasurer or treasurers on account of bounty and fines as aforesaid, and shall also direct the balance or residue of such bounty and fines to be forthwith paid into the hands of the receiver general of the county, and shall also transmit the said accounts to the commissioners of his Majesty's navy.*

LVI. And be it further enacted, That it shall and may be lawful for the commissioners of his Majesty's navy, or any three of them, to demand from the treasurer or treasurers of any county, riding, or division, such sum or sums of money as shall have been paid into the hands of such treasurer or treasurers, as a bounty or bounties on account of any man or men entering to serve in the navy in pursuance of this act, and to direct the same to be paid into the hands of the treasurer of the navy, for which payments so made the said commissioners, or any three of them, are hereby authorised to give a full discharge in pursuance of this act; and such monies shall be applied to the payment of bounty or

applied in payment of bounties to volunteers.

If any Quaker shall be appointed an overseer, and shall neglect his duty, two justices may appoint a deputy overseer for carrying this act into execution.

Bounties paid out of the poor rates, to be reimbursed by a special rate.

Limitation of actions.

General issue.

Treble costs.

bounties herein directed to be paid, under the comptroll of the said commissioners, to volunteers who are entered and rated on board the ships in which they are intended to serve.

LVII. Provided always, and be it further enacted, That if any person appointed, or to be appointed, an overseer of any parish during the continuance of this act, shall be of the people called *Quakers*, and shall neglect or refuse to perform the duties required of overseers by this act, it shall and may be lawful for two justices of the peace of the district where such parish is situate, and they are hereby required, in all cases where the circumstances of the case shall, in their judgement, render it expedient, by their order, under their hands and seals, to appoint one or two fit and proper person or persons to be deputy overseer or overseers of such parish, for the purpose only of carrying this act into execution; and such persons so appointed deputies shall have and exercise all the powers and jurisdiction given to overseers of the poor by this act, and shall do and perform all the like duties and offices under the like pains, penalties, and forfeitures, as are hereby imposed for neglect of duty on overseers of the poor appointed by virtue of the laws now in force; and that where an appointment of any deputy shall be so made, the principal overseer (being one of the people called *Quakers*) shall be, and he is hereby discharged from the performance of any duty required of him by this act, and from all penalties incurred for neglect thereof after the time of such appointment.

LVIII. Provided always, and be it further enacted, That whenever any bounty or bounties shall have been paid out of the rates raised for the relief of the poor of any parish, the same shall be reimbursed by a rate specially made under the authority and for the purposes of this act; and it shall be lawful for any two justices of the peace of the county where such parish is situate, on the complaint of any parishioner that the money so paid out of the rate made for the relief of the poor hath not been reimbursed, and they are hereby required to order and direct the overseers of such parish forthwith to make a rate to reimburse the same.

LIX. And be it further enacted, That if any action shall be brought against any person or persons for any thing done in pursuance of this act, such action or suit shall be commenced within six months next after the fact committed, and not afterwards, and shall be laid in the county or place where the cause of complaint did arise and not elsewhere; and the defendant or defendants in every such action or suit may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon; and if the jury shall find for the defendant or defendants in any such action or suit, or if the plaintiff or plaintiffs shall be nonsuited, or discontinue his or their action or suit after the defendant or defendants shall have appeared, or if upon demurrer judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and have the like remedy.

remedy for the same as any defendant hath in other cases to recover costs by law.

LX. Provided always, and be it further enacted, That this act may be altered, varied, or repealed, by any act or acts to be made in this present session of parliament.

LXI. And be it further enacted, That the forms of the proceedings relative to the several matters contained in this act, which are set forth and expressed in the schedule hereunto annexed, may be used on all occasions, with such additions and variations only as may be necessary to adapt them to the particular exigencies of the case, and that no objection shall be made, or advantage taken, for want of form, in any such proceedings, by any person or persons whatever.

This act may be altered or repealed this session.

Forms in the annexed schedule may be used.

No objection to be made for want of form.

THE SCHEDULE

to which this ACT refers.

No. 1.

FORM of Appointment of General Sessions.

To the Justices of the Peace for the County, [Riding, or Division] of

WHEREAS it is enacted, by an act, intituled, [Here set forth the Title of the Act] and passed on the Day of That the Justices of the peace acting in and for the county of [or Riding, or Division, as the Case may be] shall, within a Time, not exceeding Twenty-one Days after the passing of that Act, assemble together at some convenient Place in the said County of [or Riding, or Division] where the General Quarter Sessions of the Peace have heretofore or usually been held, and there hold a Court of General Sessions for the Purpose of carrying effectually into Execution the Powers given to them by the said Act, in pursuance of Notice to be given by the Clerk of the Peace, with the Consent of Two Justices of the Peace, in any Newspaper usually circulated in the said County of

Five Days at the least before the Day appointed for holding such Court: Notice is hereby given, That I Clerk

of the Peace for the County, [Riding, or Division] of by virtue of the Powers and in pursuance of the Direction contained in that Act, have appointed, and do hereby appoint, with the Assent of A. B. and C. D. Two of the Justices of the Peace of the said County [Riding, or Division] a General Sessions, to be holden the Day of next ensuing,

at the of in the said County [Riding, or Division] at the Hall there situate, at the Hour of in the Forenoon of the same Day, for the Purpose of carrying the said Act into Execution; and that I have, in pursuance thereof, directed this Notice to be published in the Newspapers called The usually circulated in this County [Riding, or Division] on the Day of next

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next ensuing, being Days before the said Time of
Meeting.

A. B. { Clerk of the Peace for the
County of
No. 2.

FORM of Appointment of Number of Men to be raised in the several Districts.

To be annexed to the Order to High Constable.

AT the General Sessions of the Peace, held by virtue of an Act, intituled, [Here set forth the Title of the Act] on the

Day of at

We, the Justices of the Peace in and for the County of assembled at the above Sessions of the Peace, do hereby appoint the Number of Men to serve for the Hundred of [or City, Town, Rape, Lath, Wapentake, or District], and also for each Parish, Tything, or Place, separately supporting its own Poor, or extraparochial Place, within the said Hundred, [or City, Town, Rape, Lath, Wapentake, or District], within the County of as follows; *videlicet*,

Name of Hundred [or City, Town, Rape, Lath, Wapentake, or District.]	Names of Parishes [or Tythings or Places.]	Number of Men for each Parish [Tything or Place.]
Hundred of [or City, Town, Rape, Lath, Wapentake, or District, as the Case may be.]	Parish of [Tything or Place]. Parish of . Parish of A. Parish of B, Tything of B. - - - C. } being together of the value of the said Act.	0 0 0 0 0 0

And who are respectively to be raised on or before the Day of now next ensuing. Dated this Day of

No. 3.

FORM of Orders of the General Sessions to the Chief Constables, &c.

To A. B. Chief Constable of

M— { or
To A. B. and C. D. Constables of
[or whatever their Description may be]
or
To A. B. Constables of the
Parishes of [where more than one are united.]

WE,

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WE, A. B. C. D. &c. Justices of the Peace in and for the said County, assembled at a General Sessions, held by virtue of, and for the Purpose of carrying into Execution, an Act, intituled, [Here set forth the Title of the Act], Do hereby require you to give Notice to the Overseers of the Poor of the Parish of

[or Tything of or Name of Place, as it may be], of the Number of Men appointed by us to be levied for the several Parishes, Tythings, or Places, within your District, and of the Time of raising the same, according to the List hereunto annexed; and you are hereby required to make a Return to the Justices of the Peace in and for your District, at the First Petty Sessions to be holden for the said District, by virtue of the said act, on the Day of next following, being the Day appointed for making Returns of all Matters and Things done by you, according to the Directions therein contained. Signed for and by order of the said Justices, and according to the Directions of the said Act.

A. B. { Clerk of the Peace
for the said County.

No. 4.

FORM of the Notice to Churchwardens.

M—{ To the Overseers of the Parish of
or
of the several Parishes, Tythings, or Places, of
in the said County, and to each and every of them.

NOTICE is hereby given to you, That the Justices of the Peace in and for the said County, at a General Sessions assembled under and by virtue of an Act, intituled, [Here set forth the Title of the Act], by their Order, bearing Date the Day of

have appointed One Man, [or Men] to be levied and raised for the Parish of

[or if Two or more Parishes, Tythings, or Places, are added together, name the Parishes, Tythings, or Places] and you are hereby required, immediately after the receiving this Notice, to call together the principal Inhabitants of the said at a Vestry to be held within the said

(if more Parishes, &c. than one, here insert the Parish, &c. first named in the Order of Appointment) to take into Consideration the most speedy and effectual Means of raising the said Man (or Men) appointed to be raised for the said in pursuance of the said Act,

of which Meeting you are to give Two Days publick Notice in Writing, by affixing the same on the Church or Chapel Door of your Parish or Place (or, if more than one) Church or Chapel Doors of your respective Parishes or Places, or if there is no Church or Chapel in your Parish (or Place) then on the nearest Church or Chapel Door, according to the Form annexed: And you are hereby required to take Notice, that such Man [or Men]

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is [or are] to be raised on or before the Day of next ensuing, being Twenty-one Days after the Date of the said Order; and that as soon as you have agreed with any Person to serve, you are to produce every such Person before the proper Officer appointed to regulate the admission of Men into the Army [or, Navy, as the Case may be] for your Parish, and if he shall approve of him, you are then to cause him to be brought before Two or more Justices of the Peace of this County, to be examined; and in case the Regulating Officer shall reject any Person raised by you, and you shall think yourself aggrieved thereby, you are to give to him immediate Notice of your Intention to appeal to the Justices at the next Petty Sessions to be held in your District; and you are to make a Return of all Matters and Things done by you and the Inhabitants aforesaid, or any of you or them, in pursuance of the said Act, and according to the Directions herein contained, to the Justices of the Peace acting in and for the District of at a Petty Sessions to be holden at

on the
this
Lord

Day of
Day of

next ensuing. Dated
in the Year of our

A. B. Chief Constable of

No. 5.

FORM of Notice to the Principal Inhabitants of any Parish or Place, or Parishes or Places united together.

To the principal Inhabitants of
NOTICE is hereby given, that you are required to meet on next ensuing, at a Vestry (or Meeting) at to take into Consideration the most speedy and effectual Means of raising One Man (or Men) appointed at a General Sessions of the Peace holden on the to be raised by you for the Service of the Army [or, Navy, as the Case may be], in pursuance of an Act, intituled, [*Here set forth the Title of the Act*], and so that such Man (or Men) be raised, approved of, and enrolled in His Majesty's Service, on or before the Day of now next ensuing, being the Time appointed for raising such Man (or Men).

A. B. }
C. D. } Overseers.

No. 6.

FORM of Order for fixing the Time of Appeals.

To the Overseers of the several Parishes, Tythings, and Places, within the of County (Riding, or Division) of each and every of them.

M— } AT the First Petty Sessions held by virtue of an Act,
 } intituled, [*Here set forth the Title of the Act*] for the purpose of receiving the Returns of the Overseers of the Poor of the Parishes, Tythings, and Places respectively, within this Hundred, [or Rape, Lath, or Wapentake, as the Case may be], touching the Execution of the Orders given them under the above Act, it is ordered by the Justices of the Peace, acting in and for the said District, attending the said Petty Sessions, that all Appeals of Parishes, Tythings, or Places, within the said District, charged to raise Men, under the above Act, against the Proceedings of Regulating Officers appointed under that Act, who shall reject any Man or Men raised by the said respective Parishes, Tythings, or Places, whereby such Overseers shall be aggrieved, shall and may be heard and determined on the Day of

next ensuing, and on following, until such Appeals shall be determined at before such Justices as shall then and there meet to hear and determine such Appeals. Given under our Hands and Seals, the Day of

in the Year of our Lord

No. 7.

FORM of Order of Justices upon a Difference or Disagreement between Two Parishes or Places.

M— } WHEREAS Complaint hath been made to us, A. B.
 District of } C. D. Justices of Peace, in and for the said County of
 M. acting in and for this District, and assembled at a Petty Sessions this Day of in the Year of
 our Lord that (*here set out the Complaint*) we do hereby order that (*here set out the Order*); and that this Order shall be final and conclusive upon all Parties. Given under our Hands and Seals, this Day of in the Year
 of our Lord

No. 8.
FORM of the Justices Certificate, One Duplicate whereof to be left with the Clerk of the Peace.

For the County of

M—— } WE A. B. and C. D. Esquires, Two of the Justices of the Peace in and for this County, do hereby certify, that E. F. hath voluntarily entered himself in the Service of His Majesty's Army or Navy, [as the Case may be] for the Parish [or Parishes, as the Case may be], of _____ and that his Description is as under-written:

Number of the Certificate.	Name.	Place of Birth or lawful Settlement	Age.	Calling.
E. F.	Parish of	E. F.	E. F.	E. F.
- - - -	- - - -	- - - -	- - - -	- - - -
- - - -	- - - -	- - - -	- - - -	- - - -
- - - -	- - - -	- - - -	- - - -	- - - -

And we do further certify, that the Sum of Pounds, hath been agreed to be paid as a Bounty to the said E. F. on his entering into such Service; [and if any Sum is to be paid to him on Enrollment, add as follows] And we do hereby direct, that the Sum of Pounds, Part thereof, shall be paid to the said E. F. [or to the Wife, Child, or Children, or Father, or Mother, of the said E. F. at his Request], at the Time of his Enrollment: And we do further certify, that we have ordered the Overseers of the said Parish of _____ to pay into the Hands of L. M. the Treasurer of the said County of _____ within the Space of Fourteen Days from the Date hereof, the Sum of Pounds, being the Residue of the said Bounty, No. to be applied as the Act in such Case directs. Given under our Hands and Seals, this Day of _____ in the Year of our Lord _____.

No. 9.
FORM of the Justices Certificate, One Duplicate whereof to be delivered with the Party.

For the County of

M—— } WE A. B. and C. D. Esquires, Two of the Justices of the Peace in and for this County, do hereby certify, that E. F. hath voluntarily entered himself in the Service of His Majesty's Army or Navy, [as the Case may be], for the Parish [or Parishes, as the Case may be], of _____ and that his Description is as under-written:

Number of the Certificate.	Name.	Place of Birth or lawful Settlement	Age.	Calling.
E. F.	Parish of	E. F.	E. F.	E. F.
- - - -	- - - -	- - - -	- - - -	- - - -
- - - -	- - - -	- - - -	- - - -	- - - -
- - - -	- - - -	- - - -	- - - -	- - - -

And we do further certify, that the Sum of Pounds, hath been agreed to be paid as a Bounty to the said E. F. on his entering into such Service; [and if any Sum is to be paid to him on Enrollment, add as follows] And we do hereby direct, that the Sum of Pounds, Part thereof, shall be paid to the said E. F. [or to the Wife, Child, or Children, or Father, or Mother, of the said E. F. at his Request], at the Time of his Enrollment: And we do further certify, that we have ordered the Overseers of the said Parish of _____ to pay into the Hands of L. M. the Treasurer of the said County of _____ within the Space of Fourteen Days from the Date hereof, the Sum of Pounds, being the Residue of the said Bounty, No. to be applied as the Act in such Case directs. Given under our Hands and Seals, this Day of _____ in the Year of our Lord 1796.

No. 9.

FORM of Notice by Overseers to the Regulating Officers, of Appeals.

To A. B. Regulating Officer [or, to A. B. C. D. and E. F. Regulating Officers] at under an Act, intituled, [Here set forth the Title of the Act.]

WHEREAS you, as such Regulating Officer, have rejected A. B. produced before you as a Volunteer to serve in His Majesty's Army, [or Navy, as the Case may be], as unfit to serve His Majesty, and we J. W. and T. B. Overseers of the Parish of [or Name of Place], for which Parish [or Place] the said A. B. was tendered to serve, think ourselves aggrieved by such Determination; Notice is therefore hereby given to you, that it is our Intention to appeal against such Determination to the Justices of the Peace, acting in and for this District, to be assembled at the next Petty Sessions to be holden by virtue of this Act. Given under our Hands this Day of

No. 10.

FORM of Return of Overseers to the Justices of their District, at their Petty Sessions, of Persons enrolled.

Return of Persons enrolled as Volunteers to serve in His Majesty's Army, [or Navy, as the Case may be], for the Parish of under an Act, intituled, [Here set forth the Title of the Act.]

Names	Parishes or Places for which they serve.	Parishes or Places of Birth or Settlement.	Calling.	Age.	Sums agreed to be paid as Bounty.
A. B.	Parish of	Parish of	Yeoman	17 - - -	£. - - -
C. D.	Town				

A. B. }
C. D. } Overseers.

No. 11.

FORM of Summons of Overseers acting for Places that have made Default.

M— } To A. B. and C. D. Overseers of the District of } Parish of

WHEREAS the Returns of the whole Number of Men appointed to be raised by the Parish of [or, if more than One, the Parishes of or Name of Place or Places] has not been made within the Time limited to you for so doing; this is therefore to require you to appear before the Justices of the

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 the Peace in and for the said County, and acting in and for this
 District, to be assembled at a Petty Sessions to be holden on the
 Day of at to answer for your
 Default therein, and to be dealt with according to Law. Hereof
 fail not. Given under our Hands and Seals, this Day of

No. 12.

FORM of Summons of Inhabitants, &c.

To A. B. and C. D. Inhabitants of

WHEREAS we A. and B. Justices of the Peace acting for
 the District of in the County of have sum-
 moned before us T. W. and Z. X. the Overseers of the Parish of
 to answer for the Default in not having raised the
 Proportion of Men to be raised by the said Parish of in
 Obedience to the Order of General Sessions, and in pursuance
 of an Act, intituled, [*Here set forth the Title of the Act*] and on
 due examination of the Premises it having appeared to us that
 such Default hath not happened by reason of any wilful Neglect
 of, or Disobedience to the said Order, and that the same hath
 been unavoidable, but that the same hath arisen through the
 wilful Neglect of Inhabitants of the said

Parish of These are therefore to require you
 to be and appear before the Justices of the Peace acting in and
 for the said District, on at to shew Cause
 why the Fine directed to be imposed on you in such Case should
 not be adjudged to be levied, according to the Directions of the
 said Act. Dated this Day of

No. 13.

FORM of the Order of Fine.

M—— } WHEREAS T. W. and Z. X. the Overseers of the
 to wit. } Parish of [or Parishes of or Places]
 have not made Returns of the whole Number of Men appointed
 to be raised by virtue of an Order of General Sessions, made in
 pursuance of an Act, intituled, [*Here set forth the Title of the Act*],
 for the said Parish of [or Parishes, &c.], within
 the Time limited to them for doing the same: And whereas the
 said Overseers have been summoned to appear before the said
 Justices of the Peace, acting in and for the District of
 and have refused so to do, [or, appearing before them at the
 Petty Sessions held on at and being examined
 by them as to the Cause of such Default] and it having not been
 made to appear by such Overseers to the Satisfaction of the Jus-
 tices aforesaid, that such Default hath not happened by reason of
 any wilful Neglect of, or Disobedience to, the Order, and that
 the same hath been unavoidable, We do hereby, on due Consi-
 deration of the Premises, adjudge the said T. W. and Z. X. the
 said Overseers, to be guilty of having wilfully made such Default,
 and do fine the said T. W. and Z. X. in the Sum of Ten Pounds
 over

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over and above the Sum of £. which we the said Justices have ascertained, as nearly as may be, to be the Amount which hath been given on an Average as a Bounty to Men enrolled by virtue of the said Act, within the District of and by virtue of the Powers vested in us by that Act, do order that the same be forthwith paid by them into the Hands of the Treasurer of the said County of M for the Uses and Purposes of that Act. Given under our Hands and Seals this Day of in the Year of our Lord

No. 14.

FORM of Warrant of Distress for Fine.

M— } To the constable of
to wit. }

WHEREAS T. W. and Z. X. the Overseers of the parish of [or Parishes of or Places] have not made Returns of the whole Number of Men appointed to be raised by virtue of an Order of General Sessions made in pursuance of an Act, intituled, [*Here set forth the Title of the Act*] for the said Parish of [or Parishes, &c.] within the Time limited to them for doing the same: And whereas the said Overseers have been summoned to appear before the said Justices of the Peace acting in and for the District of and have refused so to do, [or appearing before them at the Petty Sessions held on at and being examined by them as to the cause of such Default] and it having not been made to appear by such Overseers, to the Satisfaction of the Justices aforesaid, that such Default hath not happened by reason of any wilful Neglect of, or Disobedience to the Order, and that the same hath been unavoidable: And whereas, by virtue of the Powers vested in us by the said Act, we did adjudge the said T. W. and Z. X. to be guilty of having wilfully made such Default, and accordingly did fine the said T. W. and Z. X. as such Overseers of the said Parish, in the sum of for such their Default, which sum hath not forthwith been paid; these are therefore to command you to levy the said sum of £. by Distress of the Goods and Chattels of the said T. W. and Z. X.; and if within the Space of

next after such Distress by you taken, the said Sum of £. together with the reasonable charges of taking and keeping the said Distress, shall not be paid, that then you do sell the said Goods and Chattels so by you distrained, and out of the Money arising by such Sale, that you do pay the said Sum of £. into the Hands of the Treasurer of the said County of for the Uses and Purposes of that Act, rendering the Overplus(if any) on Demand, unto them the said T. W. and Z. X. the reasonable Charges of keeping and selling the said Distress being first deducted; and if sufficient Distress cannot be found of the Goods and Chattels of the said T. W. and Z. X. whereon to levy the said Sum of £. that then you certify the same to us, together with the Return of this Precept. Harein fail not. Given under our Hands and Seals the Day of in the Year of our Lord

No. 15.

No. 15.

FORM of Order of levying Rate on Inhabitant or Inhabitants.

To the Overseers of the Parish of

M— WHEREAS *T. W.* and *Z. X.* the Overseers of the
 } Parish of [or Parishes of or Places]
 have not made Returns of the whole Number of Men appointed
 to be raised by virtue of an Order of General Sessions, made in
 pursuance of an Act, intituled, [*Here set forth the Title of the Act*],
 for the said Parish of [or, Parishes, &c.] within the
 Time limited to them for doing the same: And whereas the said
 Overseers have been summoned to appear before the said Justices
 of the Peace acting in and for the District of and that
 on their appearing before them at the Petty Sessions held
 at and being examined by them as to the Causē of such
 Default; and it having not been made to appear by such Overseers,
 to the Satisfaction of the Justices aforesaid, that such De-
 fault hath not happened by reason of any wilful Neglect of, or
 Disobedience to the Order, and that the same hath been unavoid-
 able: And whereas it hath been made appear to our Satisfaction,
 that the same hath arisen through the wilful Default of *I. M.* an
 Inhabitant of the said Parish of [or, if more than One,
I. M. O. P. &c. Inhabitants, &c.]: We do therefore ad-
 judge the said *I. M. &c.* to be guilty of having wilfully made
 such Default, and do fine the said *I. M. &c.* in the Sum of Ten
 Pounds, [*&c.*] as in Form No 13.

No. 16.

*FORM of Order of Justices to the Treasurer of the County.*To the Treasurer of the County of *M.*

M— WE, *A. B.* and *C. D.* Two of His Majesty's Justices
 } of the Peace acting in and for the District of in
 this County, do hereby order you to transfer in your Account
 to the Use of *E. F.* (enrolled as a Substitute to serve for the Parish
 of [or, Parishes, &c. of] in His Majesty's
 Navy, the Sum of £. out of the Money in your Hands
 arising from the Fine imposed upon the Overseers of the Poor of
 the said Parish of [or, Inhabitants, as the Case may be]
 or for their Default in not raising a Volunteer for the said
 Parish of under an Act, intituled, [*Here set forth the
 Title of the Act*]. Given under our Hands and Seals, this
 Day of

No. 17.

FORM of Order or Warrant to Constables, &c. to attend.

M— To the Constables of or Overseers,
 } &c. of

WE,

WE, A. B. C. D. and E. F. His Majesty's Justices of the Peace in and for the county of assembled at the General, [or Quarter, or Petty Sessions, as it may be] do hereby require and order you to attend the Justices of the Peace assembled at a Sessions of the Peace, on the Day of at to shew Cause to the said Justices why [here set out the Default complained of] or to make a Return [as the Case may be]. Given under our Hand and Seals, this Day of

No. 18.

FORM of Conviction for Neglect of Duty.

M— } BE it remembered, That on this Day of
to wit. } in the Year of His present Majesty's Reign
A. B. of is duly convicted before us Justices of
the Peace, assembled at a Sessions of the Peace held
at in pursuance of an Act of the Year of His
present Majesty's Reign, intituled [Here set forth the Title of
the Act] for that he the said A. B. on at did
 wherefore we the said Justices [or of the said
Justices] do adjudge that he the said A. B. do pay the Sum of
 as a Fine for his Offence, in pursuance of the Powers
vested in us by the said Act. Given under our Hands and Seals,
this Day of in the Year of our Lord

No. 19.

FORM of Commitment for Fraud or wilful Partiality.

To

M— } RECEIVE into your Custody the Body of A. B.
to wit. } herewith sent you, having been adjudged guilty of
[Here state the Offence], in pursuance of an Act passed in the
Year of His present Majesty's Reign, intituled, [Here set forth
the Title of the Act], and him safely keep in your Custody for the
Space of next ensuing; and for so doing this shall be
your sufficient Warrant. Given under our Hands and Seals,
this Day of in the Year of our Lord

No. 20.

An Account of Parishes within the County of for which
Volunteers or Substitutes were raised for the Service of His
Majesty, together with the other Particulars relating thereto;
as required by an Act, intituled [Here set forth the Title of
the Act.]

Names

Names of Volunteers or Substitutes.	Volunteer or Substitute.	Parishes for which they serve.	Full Bounty.	Paid at Enrolment.	Paid since.		Residue unpaid.
					L. s. d.	L. s. d.	

No. 21.

An Account of the Parishes within the County of fined
for Default of not raising Men for the Service of His Majesty,
and the several other Particulars relating thereto; as required
by an Act, intituled, [Here set forth the Title of the Act.]

Parishes fined.	Amount of Fines.	Transferred to Account of Substitutes.		Paid for Rewards.	Residue.
		Names of Substitutes.	Sum.		
	L. s. d.			L. s. d.	L. s. d.

No. 22.

FORM of Order of Justices for Payment of Bounty to the Treasurer
of the County.

To the Overseers of the Poor of the

WE, A. B and C. D. Two of His Majesty's Justices of the Peace for the County of having examined E. F. who hath voluntarily entered himself to serve in the Army [or, Navy, as the Case may be], for the Parish or Parishes of to whom a Bounty of Pounds hath been agreed to be given, of which Pounds hath been paid to the said E. F. do hereby order you, L. M. and N. O. Overseers of the Poor of the said to pay into the Hands of R. S. of Treasurer of the said County of Pounds, being the Residue of the said Bounty, within Fourteen Days from the Date of this our Order. Hereof fail not at your Peril. Given under our Hands the Day in the Year of our Lord

A. B.

C. D.

No. 23.
FORM of BILL for the Payment of the Remainder of Bounty,
Day of 179

SIR,
PAY to of on producing and delivering
the Duplicate hereof, the Sum of being on Ac-
count of the Bounty of a Volunteer for the
County of belonging to His M^{aj}esty's Ship if
it shall be demanded before you have paid over the
same to the Receiver General, otherwise you are to
return this Bill to the Commissioners of the Navy, at
their Office in London.

To the Treasurer of the County of

{ Commissioner of the Navy.

{ Clerk to the Treasurer of the Navy.

By virtue of the Act of the Thirty of George the Third,

Chap.

N. B. The perforating or falsely affixing the Name and Cha-
racter of any Person entitled to receive the Wages of any
inferior Officer or Seaman, Non-commissioned Officer of
Marines, or Marine, or procuring any other to do the
same, in order to receive Wages due to such Officer or
Seaman, Non-commissioned Officer of Marines, or Ma-
rine, is made Felony without Benefit of Clergy, by the
Thirty-second of George the Third, Chap. 34.

The Officer to whom the above Bill is addressed, is directed by
Act 32 George III. Chap. 34. to examine the Duplicate thereof
when presented, and enquire into the Truth by the Oath of the
Person presenting the same; and being satisfied, he is to testify
to that Purpose upon the Back of the Bill, and pay the Amount
without Fee or Reward.

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Day of 179

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without Fee or Reward.

C A P.

C A P. V.

An act for raising a certain number of men in the several counties, stewartries, royal burghs, and towns, in that part of Great Britain called Scotland, for the service of his Majesty's army and navy.—[November 11, 1796.]

Preamble.

Men to be levied in the following proportions.

WHEREAS it is expedient for the publick service that the most effectual means should be adopted for providing a speedy supply of men to serve in his Majesty's army or navy: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That there shall be levied within that part of Great Britain called Scotland, in the several counties or stewartries, and royal burghs and towns, and other places herein-after mentioned, such able-bodied men to serve his Majesty as aforesaid, at such times and in such manner as herein-after is directed, and that the number of men to be levied by virtue of this act shall be as follows; (that is to say),

For the county of Aberdeen, one hundred and fifty-four.

For the city of Aberdeen, including the parish of Old Macbar, thirty-two.

For the burgh of Kintore, one.

For the burgh of Inverury, one.

For the town of Peterhead, four.

For the town of Frazersburgh, two.

For the town of Old Mildrum, one.

For the town of Huntley, one.

For the county of Ayr, eighty-one.

For the burgh of Ayr, five.

For the burgh of Irvine, two.

For the town of Kilmarnock, nine.

For the town of Beith, one.

For the town of Steuarton, one.

For the county of Argyll, eighty-seven.

For the burgh of Inverary, three.

For the burgh of Campbellton, six.

For the county of Bute, nine.

For the burgh of Rothesay, three.

For the county of Berwick, thirty-three.

For the burgh of Lawder, two.

For the town of Eyemouth, one.

For the town of Ayton, one.

For the town of Dunse, two.

For the town of Greenlaw, one.

For the county of Banff, fifty-three.

For the burgh of Banff, three.

For the burgh of Cullen, one.

For the town of *Macduff*, one.
 For the towns of *Old* and *New Keith*, two.
 For the town of *Fochabers*, one.
 For the town of *Portsoy*, one.
 For the county of *Caithness*, twenty-four.
 For the burgh of *Wick*, three.
 For the town of *Thurso*, eight.
 For the county of *Cromarty*, eight.
 For the town of *Cromarty*, two.
 For the county of *Clackmannan*, five.
 For the town of *Clackmannan*, two.
 For the town of *Alla*, eight.
 For the county of *Dumfries*, forty-three.
 For the burgh of *Annan*, two.
 For the burgh of *Dumfries*, seven.
 For the burgh of *Lochmaben*, one.
 For the burgh of *Sangubar*, two.
 For the town of *Moffat*, one.
 For the county of *Dumbarton*, twenty-one.
 For the burgh of *Dumbarton*, four.
 For the town of *Kirkintilloch*, one.
 For the county of *Edinburgh*, eighty.
 For the city of *Edinburgh*, including the liberties of *Canongate*,
Pleasance, *South* and *North Leith*, and *Coalhill*, eighty.
 For the town of *Dalkeith*, five.
 For the towns of *Musselburgh*, *Fisherrow*, *Inveresk*, and *Newbigging*, seven.
 For the county of *Elgin*, thirty-seven.
 For the burgh of *Elgin*, four.
 For the burgh of *Forres*, three.
 For the county of *Fife*, ninety-two.
 For the burgh of *Cupar*, five.
 For the burgh of *Dunfermline*, *Limekilns*, and *Torryburn*, eight.
 For the burghs of *Inverkeithing*, *Northferry*, and *Aberdour*, two.
 For the burgh of *Bruntisland*, two.
 For the burgh of *Kinghorn*, three.
 For the burgh of *Kirkcaldy* including the *Link*, five.
 For the burgh of *Dysart* and *Pathead*, three.
 For the burgh of *Anstruther Easter*, two.
 For the burgh of *Anstruther Wester*, one.
 For the burgh of *Craill*, three.
 For the burgh of *Kilrenny* and *Sillerdike*, one.
 For the burgh of *Pittenweem*, two.
 For the burgh of *Saint Andrew's* five.
 For the towns of *Leven*, *Largo*, *Ely*, *Kennoway*, *Methel*, *Buckbush*, *Easter* and *West Wemyss*, two
 For the towns of *Lesby*, *Ceres*, *Auchtermuchty*, *Falkland*, and
Strathmiglo, one.
 For the town of *Newbury*, one.
 For the county of *Forfar*, seventy.
 For the burgh of *Brechin*, four.

- For the burgh of *Dundee*, thirty-three.
 For the burgh of *Fife*, four.
 For the burgh of *Montrose*, five.
 For the burgh of *Arbroath*, four.
 For the town of *Kirrymuir*, two.
 For the town of *Cupar of Angus*, two.
 For the county of *Haddington*, thirty-eight.
 For the burgh of *Haddington*, five.
 For the burgh of *Dunbar*, four.
 For the burgh of *North Berwick*, two.
 For the town of *Preston Pans*, one.
 For the county of *Inverness*, seventy-two
 For the burgh of *Inverness*, fourteen.
 For the county of *Kinross*, six.
 For the town of *Kinross*, two.
 For the county of *Kincardine*, thirty-three.
 For the burgh of *Inverbervie*, one.
 For the stewartry of *Kircudbright*, twenty-eight.
 For the burgh of *Kircudbright*, three.
 For the burgh of *New Galloway*, one.
 For the town of *Castle Douglas*, one.
 For the town of *Gatehouse*, one.
 For the town of *Creighton*, one.
 For the county of *Lanark*, seventy-one.
 For the city of *Glasgow, Gorbals, Anderson, and Coton*,
 seventy-one,
 For the town of *Hamilton*, three.
 For the burgh of *Lanark*, two.
 For the burgh of *Ruglen*, one.
 For the town of *Strathaven*, one
 For the town of *Airdrie*, one.
 For the county of *Linlithgow*, seventeen.
 For the burgh of *Linlithgow*, five.
 For the burgh of *Queensferry*, two.
 For the town of *Borrowstouness*, four.
 For the county of *Nairn*, seven.
 For the burgh of *Nairn*, two.
 For *Orkney*, thirty-eight.
 For the burgh of *Kirkwall*, four.
 For *Zetland*, nineteen.
 For the town of *Lerwick*, two.
 For the town of *Stromness*, two.
 For the county of *Peebles*, twelve.
 For the burgh of *Peebles*, three.
 For the county of *Perth*, one hundred and sixty-seven.
 For the burgh of *Perth*, twenty-four.
 For the burgh of *Culross*, one.
 For the town of *Dunkeld*, two.
 For the town of *Crieff*, four.
 For the town of *Dumbane*, two.
 For the town of *Auchterarder*, two.

- For the town of *Ayburgh*, one.
 For the county of *Rewfrew*, twenty-six.
 For the burgh of *Renfrew*, one.
 For the town of *Paisley*, and the villages of *Newtoun*, *Williamburgh*, *Smitibills*, *Carriagebills*, *Maxwelstoun*, and *Milierstoun*, eighteen.
 For the town of port *Glasgow*, two
 For the town of *Greenock* and *Corfside*, sixteen
 For the county of *Ross*, forty-nine.
 For the burgh of *Tain*, two.
 For the burgh of *Dingwall*, two.
 For the burgh of *Fortrose*, two.
 For the town of *Sterneway* one.
 For the county of *Roxburgh*, forty-five.
 For the town of *Kelso*, three.
 For the burgh of *Jedburgh*, five.
 For the town of *Hawick*, three.
 For the town of *Melrose*, two.
 For the county of *Selkirk*, two.
 For the burgh of *Selkirk*, three.
 For the town of *Gallowshields*, one.
 For the county of *Stirling*, forty-eight.
 For the burgh of *Stirling*, seven.
 For the town of *Falkirk*, four.
 For the town of *Kilsyth*, one.
 For the county of *Sutherland*, thirty-one.
 For the burgh of *Dornock*, three.
 For the county of *Wigtoun*, eighteen.
 For the burgh of *Wigtoun*, one.
 For the burgh of *Whitehorn*, one.
 For the town of *Newton*, two.
 For the burgh of *Stranrear*, two.

II. And be it further enacted, That it shall and may be law- His Majesty ful for his Majesty to constitute and appoint so many officers to regulate the admission of men to be levied under the autho- rity of this act, for his Majesty's service, as his Majesty shall deem necessary, who being so respectively appointed, shall estab- lish within their respective districts a convenient place or places of rendezvous in each such district, for the reception of such men; and every such man, so to be levied, shall, before his enrolment, be examined by one such regulating officer at the least, as to his ability to serve his Majesty; and every such officer shall have the full power of approving or of rejecting any man tendered to serve his Majesty, subject nevertheless to such controul and superintendance as by this act is particularly directed.

III. And be it further enacted, That the clerks of the peace Clerks of the of the said several counties and stewartries in Scotland (excepting peace to sum- mon a general the counties of *Inverness*, *Ross*, *Cromarty*, *Sutherland*, and *Caitness*, session of the and the stewardry of *Orkney*, and *Zealand*) shall, within thirty justices; days after the passing of this act, and the clerks of the peace of the said counties of *Inverness*, *Ross*, *Cromarty*, *Sutherland*, and *Caitness*,

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Caitness, and of the said stewartry of *Orkney* and *Zetland*, shall within fifty days after the passing of this act, or sooner if it can be done, cause an advertisement to be published in some one newspaper published, or usually circulated within the county, summoning the justices of the peace of the said different counties and stewartries to meet in general session upon a day to be mentioned in such advertisement, and at the usual place where the justices of each county severally are accustomed to meet; and the justices, when assembled at such meeting, shall proceed to distinguish and ascertain the valued rent of the different parishes within the county or stewartry, and apportion the number of men to be raised for each county or stewartry upon the several parishes, according to the proportion which the valuation of such parish bears to the total valuation of the county; and the said justices shall have power to adjourn till the duty incumbent on them by this act is fully discharged, so as such adjournment shall only be from day to day, *Sundays* excepted.

The justices
clerk to
transmit to
ministers an
intimation to
be read from
the pulpit,
requiring he-
ritors to meet
for procuring
men, &c.

IV. And be it further enacted, That immediately after making such apportionment in each shire or stewartry, the justices of the peace in and for the same shall cause their clerk to transmit to the ministers of the several parishes within the shire or stewartry, other than parishes comprehended within the royal burghs and towns herein-before mentioned, an intimation to be read from the pulpit the first day of divine service after receiving the same, requiring the heritors of the parish to meet, by themselves or agents, within ten days from the time of the intimation being so made at the parish church or manse of the said parish; and the heritors, or their said agents, shall meet accordingly, and at such meeting shall direct such measures to be taken as to them shall seem most expedient to procure the number of men apportioned on the parish, by the payment of bounty money, and to have the men procured delivered over to the regulating officer appointed to pass and receive them, within fifteen days after the meeting; and in case the said number of days shall elapse without the quota of men apportioned upon the parish being produced, delivered over, and passed, then the heritors of such parish shall be liable, in the first instance, to pay unto the collector of the cess for the county or stewartry within which the parish is situated, a sum of money equal to twenty-five pounds sterling for each man of the quota required from the parish deficient, such deficiency being certified under the hand of the regulating officer of the district, and copies of his certificate delivered to the minister of the parish, and to the clerk of the peace for the shire or stewartry in which the parish is situated; and in case the said heritors shall fail to make such payment within the time above-mentioned, then the justices of the peace of the county or stewartry shall immediately assess the parish in the sum due for its deficiency at the rate aforesaid, according to the valued rent of the parish, ascertained by them in manner aforesaid, and shall order the collector of the land tax for such county or stewartry, and

Heritors to
pay 25l. for
each man de-
ficient of
quota;

and if not
paid, the jus-
tices to assess
the parishes
for deficien-
cies.

and he is hereby authorised and required, without loss of time, to recover the same from the heritors of such parish, in the same manner, and by the same means, as he is empowered by law to recover and render the land tax effectual.

V. And be it enacted, That the bounty monies to men procured by the heritors of the several parishes, shall in the first place, be provided and paid by the said heritors, and an account kept thereof, and at the elapse of the time before-mentioned, when the sum of twenty-five pounds for each man then deficient is appointed to be recovered and paid as aforesaid, in order to defray the expence of the bounties to be given to the said men, it shall be lawful to the heritors in the said parishes, or such of them as have advanced the bounty monies, or to any person authorised by them, to raise a sum equal to the whole of the money so advanced and paid by them upon the parish agreeably to the act of the parliament of Scotland, which was passed in the reign of Charles the Second, in the year one thousand six hundred and sixty-three, chapter sixteen, and the proclamations of the privy council of Scotland in the reign of King William, ratified by an act of the parliament of Scotland, which was passed in the same reign, first September one thousand six hundred and ninety-eight, chapter twenty-first.

VI. And be it enacted, That in the case aforesaid of the number of men allotted to any parish not being raised, and delivered over as above directed, within the time before limited, and the sum of twenty-five pounds for each deficient man being raised from the heritors as before directed, then the heritors paying shall be, and they are hereby authorised to assess the tenants, inhabitants, and possessors, of such parish, in a moiety of the sum so paid, to be levied in the same manner as they are empowered to do by the aforesaid acts of the parliament of Scotland.

VII. And be it enacted, That in case any person or persons shall refuse or delay to pay his, her, or their proportion of the sum or sums so assessed or imposed, within the time appointed for payment thereof, the same shall, upon a complaint to the sheriff or steward depute of the shire or stewartry, or his substitute, by the procurator fiscal of the county or stewartry, be recovered and rendered effectual by distrels and sale of the effects of the person or persons refusing or delaying to pay.

VIII. And be it enacted, That in all cases where there is not sufficient evidence of the valued rent of lands, the apportionments and assessments hereby directed shall be made according to the customary payment of the rents or land tax, or in such other way as to the justices of the peace of each shire or stewartry, assembled as aforesaid, shall seem best; and in case there be no acting justice of the peace within any district, the duty and powers by this act made incumbent on or given to the justices, shall be performed and exercised by the sheriff depute or substitute for justices act, such district, and the duties of the clerk of the peace by the sheriff or steward clerk, or his deputies.

IX. And be it further enacted, That it shall be lawful for the

Bounties to be paid by the heritors, who may raise the amount on the parishes.

Heritors paying for deficient men may assess inhabitants in a moiety of the sum.

Assessments may be recovered by distress.

Where there is no evidence of the rent of lands, assessments to be made according to the land tax; and where no sheriff depute to act, &c.

Justices may add together

two or more parishes for raising men, &c.

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 said justices at their said meetings to add together, whenever they shall think it necessary, two or more parishes, for the raising any man or number of men in pursuance of this act, so as to make the charge as equal and impartial, and convenient as possible; and the heritors of the parishes so added together, or their agents, shall proceed to raise the proportion of men allotted for the same, and to raise the money necessary; and all the other proceedings directed by this act shall take place in like manner as if the parishes so joined did originally or by law form but one parish; and the justices shall, in the case of such junction, direct where the heritors of the parishes joined shall meet; and the said heritors are hereby directed and required to meet at the place so appointed accordingly, by themselves or their agents.

The charge for raising men in a parish lying in two counties to be made in that where the church is situated.

X. And be it further enacted, That where any parish lies in two or more counties or stewartries, the charge imposed on such parish for raising men for his Majesty's service by this act, shall be in the shire or stewardry where the church belonging to such parish is situated, and the whole of such parish shall, for the purposes of this act, be deemed part of the said shire or stewardry; and all the money to be levied for or in respect of such parish, in pursuance of this act, shall be paid to and recovered by the officers of the same.

Penalty on regulating officer or procurator fiscal for neglect.

XI. And be it enacted, That in case any regulating officer shall fail to make his certificate, and to cause copies thereof to be delivered as herein-before directed, he shall, for every such failure, be liable in the penalty of thirty-one pounds ten shillings, to be recovered by summary complaint made by the procurator fiscal of the county or stewardry to the sheriff or stewart depute; and in case the procurator fiscal shall fail in his duty in any of the articles before-mentioned, then he shall be liable in a penalty of thirty-one pounds ten shillings for each failure, to be recovered by a summary complaint to the sheriff or stewart depute by the regulating officer, the collector of the land tax, or any heritor of the parish.

Orders of sheriffs, &c. to be final.

XII. And be it further enacted, That the orders or decrees of the sheriffs or stewarts depute, and of the justices of the peace, in any of the cases before-mentioned, and in all proceedings held under this act, shall be final and conclusive as to all parties, and shall not be removeable by bill of suspension, advocation, or any other form or process of law, into any superior or other court whatsoever.

Magistrates, within a limited time, to take measures for levying men, and may levy money to pay bounties.

XIII. And be it further enacted, That the magistrates of the several cities, royal burghs, towns, and places, in this act mentioned, except those to the northward of Inverness, shall, within twenty days after the passing of this act, and the magistrates of the several cities, burghs, towns, and other places, in this act mentioned, situated north of Inverness, shall, within forty days after passing of the same, or sooner it can be done, take such measures as shall seem to them most expedient for levying the number allotted for each of the said cities, royal burghs, towns, and other places;

places; and they shall be, and they are hereby authorised to levy from the heritors, burghesies, and inhabitants of such cities, burghs, towns, and other places, a sum not exceeding twenty-five pounds per man, for paying the bounties they may see proper to give to such men as are actually levied, not exceeding the numbers allotted for such city, burgh, town, or other places, by this act, in such manner, and by the proportions as is herein-after directed; and the men so levied shall be delivered over by the said magistrates to the regulating officer appointed to act for that place in manner aforesaid.

XIV. And be it enacted, That in case the magistrates of any of the said cities, royal burghs, towns, or other places, shall not have raised its full complement of men accepted of by the regulating officer, within thirty days after they are herein-before directed to take measures for that end, then the said magistrates shall stent and assess the heritors and inhabitants in a sum equal to twenty-five pounds for each man deficient, and shall levy the sum so assessed in the manner, and according to the proportions herein-after directed; and the said sum shall be paid to the collector of the cels for such city, burgh, or town, or where there is no collector of the cels for such city, burgh, or town, then to the collector of the cels for the shire or stewartry within which such city, burgh, town, or other place is situated, to answer and pay the bounty money given to men levied to supply the deficiency, until the whole number allotted for such city, burgh, town, or place, shall be completed.

XV. And be it enacted, That in case the magistrates of any of the said cities, burghs, towns, or other places, shall neglect or refuse to assess and stent the heritors and inhabitants thereof, for the sums of money for which such city, burgh, town, or place, may be liable in case of deficiency as aforesaid, or to levy, apply, and pay over the same in manner and for the purposes aforesaid, then the magistrates of such city, burgh, town, or place, making default, shall be personally liable in a penalty equal to the sum deficient, to be recovered by summary complaint to the sheriff depute, at the instance of the procurator fiscal of the sheriff court, within the jurisdiction whereof such city, burgh, town, or place, making default, is situated; and the sums so recovered shall be paid over and applicable in the same way that the sums are by this act directed to be applied in the case of the magistrates levying the same from the heritors and inhabitants.

XVI. And be it further enacted by the authority aforesaid, That the commissioners of his Majesty's treasury, for the time being, shall cause to be prepared true lists of the number of all the inhabited houses within the limits of any of the cities, royal burghs, towns, parishes, and places, particularly above specified, which are assessed and pay to the duties on inhabited houses, or houses within to the duties on houses, windows, or lights, by virtue of any act or acts of parliament now in force, and shall forthwith cause the same to be forwarded by the respective surveyors or other proper officers of the said duties, to the chief magistrate of each of the

If the complement of men is not raised within a limited time, the magistrates to assess the heritors and inhabitants for the deficiency.

Magistrates neglecting to make assessments for deficiencies to be personally liable.

Treasury to cause lists to be prepared of the number of inhabited houses within the limits of cities, &c. assed to the officers of the said duties on said and forwarded

to the chief magistrates, who shall apportion the sums to be levied.

said cities, royal burghs, towns, parishes, or other places respectively; and where there are no such magistrate or magistrates, to the justices of peace, clerk of the county or stewardry, within which such town, village, or place, is respectively situated; and the magistrates of the said cities, royal burghs, towns, parishes, and other places, and the justices of the peace of the county or stewardry, within which such towns, villages, or places above described, are respectively situated, duly and regularly assembled, shall, as soon after the receipt of such lists, as conveniently may be, respectively proceed to apportion among the inhabitants of the said cities, royal burghs, towns, parishes, and places, as nearly and equally as may be, the sums of money appointed to be levied by this act either for bounties to men raised in pursuance of this act, or for fines or penalties incurred for default of raising the proportion of men respectively above specified; and the said magistrates assembled as aforesaid, are hereby respectively authorised and required to divide and apportion the said bounties, fines, or penalties respectively, as near as may be, in such proportions as the number of inhabited houses assessed to and paying the said duties in each city, royal burgh, town, parish, or place, shall bear to each other: provided always, That where, from the inconsiderable number of inhabited houses assessed as aforesaid, contained in any royal burgh, town, village, or place, the said list shall appear to the magistrates of the said burgh, town, village, or place, or to the justices of the peace, as the case may be, within which the same are respectively situated, either totally inapplicable, or not affording an equal and impartial rule for apportioning among the inhabitants of the same, the said bounties, fines, or penalties, it shall be lawful for the said magistrates and justices respectively, and they are hereby commanded and required to apportion the said bounties, fines, or penalties, among the inhabitants of the same, in such manner and by such rule, as to them shall seem most expedient, and as may render the operation of this act, in such cases, as equal and impartial as possible; provided always, That it shall be in the power of any inhabitant of such burgh, town, village, or place, conceiving himself aggrieved by the assessment imposed by any magistrate or justice of the peace above-mentioned, to appeal from the same to a general meeting of the justices of the peace, of the county or stewardry within which such burgh, town, village, or place, is respectively situated; provided the said appeal be entered within ten days after written notice has been given by the said magistrates or justices, or person authorised by them, of the rate or assessment proposed to be put upon such inhabitant; and the order or decree of the said general meeting of justices shall be final and conclusive as to all parties, and shall not be removable by bill of suspension, advocacy, or any other form or process of law, into any superior or other court whatsoever.

Appeal may be made to a general meeting of justices.

Their decree to be final.

The landward part of the parishes to be deemed part of the .

XVII. And be it enacted, That where parishes are partly landward and partly within burgh, the landward part of the parish, whether holden of the burgh or not, or whether paying cels to

to or with the burgh or not, shall be considered as part of the shire, and the shire or stewartry liable for its proportion of the men allotted by part within this act to be raised in or for the same, and the part within burgh part thereof, shall be included in the allotment for the burgh.

XVIII. Provided always, and be it enacted, That when any General meeting of justices may determine what part of any parish ought to be assessed within the county, and within the city, &c. doubt shall arise what part of any parish ought to contribute and be assessed within the county or stewartry of which it is a part, and what part of it is included and ought to contribute and be assessed as part of the city, royal burgh, town, village or place, particularly and respectively above specified, it shall be in the power of a general meeting of the justices of the peace of the county or stewartry within which such city, royal burgh, town, what part village, or place, is situated, duly assembled at a general meeting, within the and of which due notice shall be given by advertisement or otherwise, in order that all concerned may attend to fix, ascertain, and determine, from the list of inhabited and assessed houses, or from such other evidence as the nature of each case respectively admits, what part of such parish falls to contribute and be assessed with the county or stewartry, and what part and right in pursuance of this act to contribute and be assessed, as part of the city, royal burgh, town, village, or place, respectively; and such order or judgement may, at the suit of any party conceiving himself aggrieved, be removed by bill of advocation, suspension, or other usual process of law into the court of session; any thing in this act contained to the contrary notwithstanding.

XIX. And be it enacted, That it shall be lawful for any justice of the peace, or any sheriff or steward depute, or substitute, or chief magistrate, resident in any city, burgh, or town, in this act mentioned, before whom any person shall be brought to be examined touching his consent to enter into his Majesty's service, to direct that any sum, not exceeding one third part of the bounty agreed to be paid to him on his engaging to serve, shall be advanced to such person, or to such of his family, and in such proportions, as he shall request at the time of his enrolment herein-after mentioned; and that the residue of such bounty shall be paid into the hands of the collector of the cess for the shire, or stewartry, burgh or town, to which the said person belongs, or for which he is enlisted, there to remain until the same shall become payable to such person, on his being enrolled in some regiment, or mustered on board any of his Majesty's ships of war.

XX. And be it enacted, That every person who shall agree to enter himself as a volunteer in either of such services as aforesaid, shall be produced before the officer or officers appointed to regulate the same service, at the nearest place of rendezvous to any parish or place for which such volunteer shall agree to serve; and in case such officer or officers shall, on examination, approve of such volunteer to serve his Majesty, then such volunteer or volunteers may forthwith be brought before any such justice, sheriff depute, or substitute, or chief magistrate, resident as aforesaid, acting in and for the parish or place; and in case it shall appear to such justice, sheriff depute, or substitute, or magistrate, that such person

person or persons hath or have voluntarily entered himself or themselves in the service of his Majesty as aforesaid, then they are hereby required forthwith to certify, under their hands, that such person or persons hath or have voluntarily entered himself or themselves in the service of his Majesty's army or navy, as the case may be, and at the foot of such certificate enter the amount of the sums to be paid as bounty or bounties to such volunteer or volunteers, on his or their entering into such service, and the sums (if any) which have been directed to be advanced to him or them, at the time of his or their enrolment; and which certificates shall be delivered to such regulating officer; and he shall thereupon cause such person or persons to be enrolled in his Majesty's military or naval service, as the case may require.

Certificates to be delivered to the officer who shall cause the men to be enrolled.

If regulating officer reject a volunteer, the heritors or magistrates may appeal to the sheriff depute, &c.

Regulating officer to write his reasons for rejection.

Sheriff's order final.

If men are not procured by the heritors or magistrates; certain persons may produce substitutes, or volunteers may offer themselves to a justice, &c. who shall settle the bounty, &c. and order the collector of the cess to pay it.

XXI. And be it enacted, That in case the regulating officer at the nearest place of rendezvous aforesaid, shall reject any person or persons produced before him as such volunteer or volunteers, as unfit to serve his Majesty in either of the said services, and the heritors of any parish, or magistrates of any burgh or town, for which such person or persons shall have been tendered to serve, shall think themselves aggrieved by the rejection, it shall and may be lawful for any one of such heritors or magistrates to apply, by summary complaint, to the sheriff or steward depute, or substitute, of the shire or stewartry, who shall cause the said complaint to be served on the said regulating officer or officers, directing him to answer the same within a time to be limited, not exceeding six days, and he or they, on receiving such notice, shall, and they are hereby required, before the time of hearing the matter of the said complaint, to set down his reasons in writing for such rejection, and such writing being exhibited to the sheriff or steward deputes, or their substitute, they shall do therein what shall seem to them in their discretion expedient, and their order shall be final and conclusive.

XXII. And be it enacted, That in all cases where default shall be made in procuring and delivering men by the heritors or magistrates as aforesaid, it shall be lawful for any person or persons, having authority under his Majesty to provide men for the service of the army or navy, to produce any person or persons, substitute or substitutes, or for any such person or persons voluntarily to come before any justice of the peace, sheriff or steward depute, or substitute, or chief magistrate resident of the county, district, or place respectively for which they are produced or come, and be examined as to their consent to serve in his Majesty's army or navy, as substitutes for such parishes or places respectively, and who shall, and they are hereby authorised and required to settle the bounty or bounties to be paid for such substitutes; such bounty or bounties, including the expenses incurred in providing the said substitutes, not to exceed the aforesaid sum of twenty-five pounds sterling; and such justices shall, in case any such persons shall be approved of by the regulating officer as aforesaid, certify such consent and approbation, and the bounties agreed to be paid, in the manner herein-before directed with respect to volunteers; and the

the said justices shall thereupon make an order upon the collector of the cess for the shire or stewartry, or burgh or town, for which such substitute is enrolled, to pay the bounty money out of the money in the hands of such collector arising from the assessments made for and in the parish or place for which such substitute or substitutes is or are admitted.

XXIII. And be it enacted, That every such certificate so granted, or a full and true copy thereof, signed by the regulating officer, shall in all cases be transmitted along with the person enrolled, and delivered to the commanding officer of the regiment, battalion, or company, or of the ship or vessel in which such person shall be entered to serve, and such commanding officer shall, within four days from the time of such person being admitted into any regiment, and before such volunteer shall be compelled to go out of the county for which he shall serve, or from the time of such person joining such regiment, which shall first happen, or from the time of such person being mustered and rated on board any ship, and before such ship or vessel shall proceed to sea, as the case may be, make out a ticket or tickets for the payment of the bounty money agreed to be paid to such person, and then remaining due, in such manner as if such money had become due to such person on account of arrears of wages as a seaman on board such ship or vessel, and such bounty money shall and may be paid to such person, or to his family, in the manner directed in respect of men enrolled in England, as directed by an act passed in this present session of parliament, intituled, *An act for raising a certain number of men in the several counties of England, for the service of his Majesty's army or navy,* and shall be reimbursed to the person so paying the same, by the collector of the cess for the particular shire, stewartry, burgh, or town.

XXIV. Provided always, and be it enacted, That no person shall be received or enrolled in his Majesty's service by virtue of this act, who is not, in the opinion of the regulating officer or officers, such an able-bodied man as is fit to serve his Majesty, and is free from ruptures, and every other distemper or infirmity which may render him unfit to perform his duty in the army or navy; and who, in the opinion of such officer or officers, shall appear to be under the age of sixteen years, or above the age of forty-five years; nor any person being an articled clerk or apprentice (unless with the consent of the master of such clerk or apprentice); nor any person enlisted in any of his Majesty's forces, or already entered in his Majesty's navy; nor any deserter: provided that no person enrolled by virtue of this act shall, by reason of any such disqualification, as being a clerk, or apprentice, or enlisted, or entered, or being a deserter, be liable to be discharged from his Majesty's service, or taken out of the same, unless notice in writing of such disqualification shall be given to the officer or officers under whose command such person shall be, before the time of his entering into any regiment, or on board any of his Majesty's ships of war, and before the bounty hereby

Certificates or copies to be transmitted with the persons enrolled to the commanding officer, who shall make out a ticket for the bounty due, &c.

Certain persons disqualifi-
ed to be en-
rolled:

but no person
if enrolled
shall be dis-
charged as
being an ar-
ticled clerk,
&c. unless
notice of dis-
qualification
be given
before his en-
tering and
the bounty
paid.

hereby authorised to be paid, or any part thereof, shall have been paid or satisfied to him.

Regulation of
37 Geo. 3.
c. 4. respect-
ing deserters
from the naval
service in
England, to
extend to this
act.

XXV. And be it enacted, That all the regulations established by the aforesaid act of this present session of parliament, intituled, *An act for raising a certain number of men in the several counties of England, for the service of his Majesty's army and navy, against deserters from his Majesty's naval service for England, and against persons harbouring or concealing deserters, and for billeting officers and men, shall attach upon and be construed to comprehend the cases of persons enrolled in his Majesty's naval service in Scotland, and the officers commanding them, by virtue of this act.*

Expences in
executing this
act to be de-
frayed by the
respective
counties.

XXVI. And be it further enacted, That all the expences incurred in the execution of this act in *Scotland* (including such gratifications for the trouble of the clerks of the peace, and other officers, who are respectively required to execute this act, as shall be deemed adequate for their trouble by the justices of the peace or sheriff depute, or substitute, or resident chief magistrate as aforesaid), shall be defrayed by the several counties, stewartries, burghs, towns, and places severally; and the collectors of the land tax in the several counties, stewartries, and burghs, are hereby empowered to assess and levy the said expence along with the land tax, according to the rules and proportions herein-before mentioned.

Collectors of
the land tax
may advance
bounties.

XXVII. And be it enacted, That until the money to be raised by virtue of this act shall be actually recovered and paid in to the several collectors, that the respective collectors of land tax, out of the publick money in their hands, shall, and are hereby authorised and required to advance and pay such sums as may be necessary for payment of bounties to such persons as shall be approved of by the regulating officers.

Persons re-
ceiving mon-
ey under this
act to be li-
able as pu-
blick account-
ants.

Surplus mon-
ey to be at
the disposal of
the treasury,
&c.

By April 5,
1797, the col-
lectors of the
cess to trans-
mit accounts
of money
levied, and of
balances in
hand, to the
receiver gene-
ral of the land
tax in Scot-
land, who shall

XXVIII. And be it further enacted, That the said collectors of the cess in the several counties, stewartries, burghs, and towns, herein-before mentioned, and all other persons into whose hands money raised or contributed under, or in pursuance of this act shall be paid, shall be liable for the same as publick accountants; and all surplus money remaining, after satisfying the purposes of this act, shall be at the disposal of the commissioners of his Majesty's treasury, to be applied in providing men for the augmentation of his Majesty's army or navy, in such manner as in their discretion shall seem expedient; and the usual process shall and may issue for compelling an account and payment thereof.

XXIX. And be it further enacted, That the collectors of the cess within the said several countries, stewartries, cities, burghs, and towns, shall, on or before the fifth day of April in the year one thousand seven hundred and ninety-seven, transmit to the receiver general of the land tax in *Scotland* an account of the sums levied by them either for bounties to men actually raised, or for fines and penalties incurred in default of raising men in pursuance of this act, and stating what sums of money remain in their hands unappropriated to the purposes herein-before directed, and the said receiver general shall forthwith transmit the said respective

respective accounts so received as aforesaid, to the lords commissioners of his Majesty's treasury, and each collector failing to transmitt to the said receiver general the said accounts, shall incur the penalty of five hundred pounds sterling, such penalty to be recovered by summary complaint before the court of session, or by information in the court of exchequer, at the suit of his Majesty's advocate.

XXX. And be it enacted by the authority aforesaid, That in case of the death or insolvency of any collector of the cess, or any other person into whose hands money raised or contributed under or in pursuance of this act, shall be paid, the heirs, executors, sureties, and representatives of the said collector, or other persons aforesaid, shall, within forty days after the decease or insolvency, deliver in to the justices of peace, clerk, or town clerk respectively, as the case may be, of each county, stewartry, city, royal burgh, or place respectively, an account, to the best of their knowledge and belief, of all things done by such person insolvent or deceased, touching the execution of this act, and render an account of all monies actually received and remaining unpaid by any such collector or other person, levying and retaining any sums levied and paid to them in pursuance of this act, and that under the penalty of five hundred pounds; to be sued for and recovered in like manner as is herein-before directed, in respect to the penalties which may be incurred by such collector neglecting to transmit to the receiver general of the land tax the accounts of the sums levied in pursuance of this act.

XXXI. And whereas the regulating officer appointed to receive and pass the men as above-mentioned, may not be able to go through the examination of such men at the different places of rendezvous within his district, in the space of twenty days after the meeting of the heritors for the purposes above-mentioned; be it enacted, That such regulating officer may intimate to the clerks of the peace of each county or stewartry, and chief residing magistrate of each burgh or town situated within his district, that he will be ready to receive such men as they may have procured, at such particular place of rendezvous, and on such several successive days as he may find absolutely necessary, to enable him to travel without loss of time, and with all suitable dispatch, from one place of rendezvous to another, in the several counties, burghs, towns, and other places, within his district; and the clerk of the peace shall forthwith give notice to the minister of each parish within the county, or, in his absence, to the precentor or session clerk of the same, of the place of rendezvous, and the particular day on which the heritors of such parish are respectively to produce and deliver over such volunteer or volunteers as aforesaid, or in default thereof to be liable in the penalty of twenty-five pounds sterling above-mentioned for each man of their quota deficient, to be levied, recovered, and applied, as herein directed; and the chief resident magistrate of each burgh or town is in like manner to produce and deliver over at such place of rendezvous, on such day as the regulating officer shall notify, such volunteer or volunteers apportioned on each, or in default thereof to be liable

Anno regni tricesimo septimo GEORGI III. c. 6. [1796.]
as aforesaid in the penalty of twenty-five pounds for each man
deficient, to be levied, recovered, and applied, as herein directed.

Mistake in 35
Geo. 3. c. 29.
rectified.

XXXII. And whereas, by an act passed in the thirty-fifth year of his Majesty's reign, intituled, An act for raising a certain number of men in the several counties, stewartries, royal burghs, and towns in that part of Great Britain called Scotland, for the service of his Majesty's navy, forty-nine men were appointed to be levied for the county of Wigton, and eighteen men for the town of Kilmarnock, both of which numbers were by mistake apportioned on the said county and town; be it therefore enacted, That on the said county furnishing, or proving itself to have furnished, twenty-three men, and the said town of Kilmarnock furnishing, or proving itself to have furnished, six men, for the service of his Majesty's navy, as directed by the aforesaid act, they shall be discharged of all further claim upon them for any further number of men, or of any demand for penalties incurred for deficient men, beyond the said number of twenty-three men and six men respectively.

Limitation of
actions.

This act may
be altered or
repealed this
session.

XXXIII. And be it further enacted, That if any action shall be brought against any person or persons for any thing done in pursuance of this act, such action or suit shall be commenced within six months next after the fact committed, and not afterwards.

XXXIV. Provided always, and be it further enacted, That this act may be altered, varied, or repealed, by any act or acts to be made in this present session of parliament.

C A P. VI.

An act for enabling his Majesty to raise a provisional force of cavalry, to be embodied, in case of necessity, for the defence of these kingdoms.—[November 11, 1796.]

Preamble.

One horse-
man and horse
to be enrolled
for every ten
horses kept
for riding or
drawing a car-
riage, charged
to the duties
on horses
granted by
certain acts.

WHEREAS it is expedient, in the present conjuncture, that a body of cavalry should be enrolled, and kept in readiness to be called out to actual service, whenever it shall be necessary, in order to prevent or repel any invasion that may be attempted by the enemies of the country: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That throughout that part of Great Britain called England, there shall be enrolled, for his Majesty's service, one horseman, clothed and furnished as herein-after prescribed, and equipped with one able and sufficient mare or gelding, fit for military duty, for and in respect of every ten horses, mares, or geldings, kept for the purpose of riding, or for drawing any carriage, mentioned and described in several acts of parliament of the twenty-fourth, twenty-ninth, and thirty-sixth years of the reign of his present Majesty, and charged to the duties on horses, granted by the said acts, by any assessment made, or to be made, after the fifth day of April one thousand seven hundred and ninety-six,

ix, during the continuance of this act; the execution of which enrolment shall be in the manner directed by this act.

II. And be it further enacted, That every person who is or shall be charged to the said duties, in manner aforesaid, for ten horses, mares, or geldings, shall provide for his Majesty's service in manner herein directed, one mare or gelding fit for military duty, for or in respect of such ten horses, mares, or geldings, by him or her kept and charged as aforesaid; and in like manner one other such mare or gelding for or in respect of every ten horses, mares, or geldings, by him or her kept in addition to those before enumerated and charged as aforesaid; and shall also provide one able and sufficient horseman, cloathed in the manner directed by this act, in respect of every such mare or gelding by him or her to be provided for the purposes of this act.

III. And be it further enacted, That the several persons herein-before described, who are or shall be charged to the said duties in manner aforesaid, for any greater number of horses, mares, or geldings, than shall have been comprised in any enumeration made in pursuance of the provisions of this act before-mentioned (such greater number of horses, mares, or geldings, not amounting to ten additional horses, mares, or geldings), and also all other persons in that part of *Great Britain*, as aforesaid, who are or shall be respectively charged to the said duties in manner aforesaid, for any number less than ten horses, mares, or geldings in the whole, shall be classed together in manner herein-after directed, and shall provide one mare or gelding fit for military duty, for and in respect of every class consisting of ten horses, mares, or geldings, by them respectively kept and charged as aforesaid; and shall also provide one able and sufficient horseman, cloathed as aforesaid, in respect of every mare or gelding by them respectively to be provided for the purposes of this act.

IV. And be it further enacted, That his Majesty's lieutenants and deputy lieutenants, constituted and appointed in the several counties, ridings, and places, in that part of *Great Britain* aforesaid, and the justices of the peace of the same counties, ridings, and places, and such other persons as are authorised to carry into execution the militia laws within their respective jurisdictions, shall at their respective general and subdivision meetings, carry this act into execution, in all matters herein directed to be done; which general and subdivision meetings shall be holden for the purposes of this act, by the like persons, and in like manner, as such meetings are directed to be holden by the laws relating to the militia: and the jurisdiction of such meetings assembled for the purposes of executing this act, shall extend to all places within their respective counties, ridings, or subdivisions, in the manner directed and established by the said militia laws, and also to all extra-parochial places whatever, within the limits of their respective counties, ridings, or places.

V. And be it further enacted, That the first general meeting of lieutenancy, in every county, riding, or place, within that part of *Great Britain* as aforesaid, to be holden for the purposes of this act, shall be holden on a day, not later than fourteen days

Every person shall provide a horse and horseman for every such ten horses.

Persons keeping less than ten houses to be classed together, and to provide a horse and horseman for every ten.

County lieutenants, &c. to carry this act into execution at their meetings.

The first general meeting of lieutenancy shall be holden within 14 days

after the passing of this act.

days after the passing of this act; and may be held in pursuance of previous adjournment, or by summons, in the manner directed by any law now in force relating to the militia forces, and shall be held from time to time, by adjournment, within seven days from the preceding meeting, until the full complement of men shall be enrolled by virtue of this act, and afterwards as occasion shall require.

Subdivision meetings to be appointed by the general meetings.

VI. And be it further enacted, That the subdivision meetings of lieutenancy shall be appointed by the first general meeting to be holden for the purposes of this act; and shall be holden on a day not later than seven days after the first general meeting aforesaid; which meetings may be adjourned from time to time, in the manner directed by the laws relating to the said militia forces; and shall be holden from time to time, as often as the general meetings of lieutenancy shall direct, or oftener if occasion shall require.

Treasury may issue money to carry this act into execution.

VII. And be it further enacted, That the commissioners of the treasury for the time being, are hereby authorised and required to issue, and cause to be advanced, all such sums of money as shall appear to them to be necessary for the purposes of this act, and to prevent delay in the execution thereof, to such persons, and in such manner, as to them shall seem expedient (to be replaced in the manner herein mentioned); and which sums so to be advanced, shall be employed in defraying the necessary expences in and about the execution of this act, in such particulars as the said commissioners of the treasury shall order and direct.

Treasury shall cause a schedule of the number of horses charged by the last assessment after April 5, 1796, to be laid before the general meetings of lieutenancy.

VIII. And be it further enacted, That the commissioners of his Majesty's treasury for the time being, shall cause to be prepared a true schedule of the number of horses, mares, or geldings, which have been, or shall be charged to the said several duties, by the last assessment which shall have been made at any time after the fifth day of April one thousand seven hundred and ninety-six, and of the names of the several persons respectively keeping the same, and the number kept by each person; describing therein their respective places of residence, and distinguishing each division wherein they were so respectively charged; and the said commissioners of the treasury shall cause the same to be laid before the respective general meetings of lieutenancy for the respective counties, ridings, or places, where such assessments have been made, at their first meetings which shall be held after such lists shall be prepared by the respective surveyors of the said duties, and to be by them verified on oath if required, (which oath the lieutenant, or any one deputy lieutenant, or justice of the peace then there assembled, is hereby authorised to administer), and the lieutenant and deputy lieutenants, or justices of the peace, or in the absence of the lieutenant, the deputy lieutenants, or justices of the peace, there attending, shall proceed to ascertain

Lieutenant, &c. to appoint the number of men to be provided with in each subdivision, and transmit to the

and appoint the number of men to be provided within the precinct of each subdivision meeting of lieutenancy, in such county, riding, or place, and shall cause a true copy, signed and attested by

by them respectively, of so much of the schedule delivered to clerks of the subdivision by the respective surveyors of the said duties as relate to the meetings so several persons residing within the precinct of each sub-division much of the meeting of lieutenancy, to be prepared, and the same to be transmitted to the respective clerks of such sub-division meetings, to relates there- be laid before the deputy lieutenants and justices assembled at their next sub-division meeting after such transmission.

IX. And be it further enacted, That if any person, liable to Penalty on the said duties on horses, shall not be rated and assessed to the full amount of what he or she ought and is liable to pay, and shall neglect to deliver in a true list of the greatest number of horses, mares, and geldings, kept by him or her at any time in the year ending the fifth day of April one thousand seven hundred and ninety-six, for the space of ten days after the passing of this act; or if any person, having began to keep any horses, mares, or geldings, at any time since the fifth day of April one thousand seven hundred and ninety-six, shall, for the space of ten days after demand thereof made by any assessor or assessors, surveyor or surveyors, or inspector or inspectors of the said duties, neglect to deliver in a true list, containing the greatest number of horses, mares, and geldings by him or her kept at any time since the said fifth day of April one thousand seven hundred and ninety-six, so that the same may be inserted in an assessment to be made for the purposes of this act, every such person so neglecting, shall forfeit and pay the sum of twenty pounds: provided always, That the delivery of such list shall not subject any person to the payment of any duty to which he or she was not liable before the passing of this act: provided also, That the person delivering in any such list shall be freed and discharged from all penalties or surcharges incurred by reason of any omission in any former list delivered before the passing of this act, or neglect in not delivering such list, and for the recovering of which no prosecution or proceeding was then had or commenced.

X. And be it further enacted, That the above mentioned penalty of twenty pounds by this act imposed, shall be recoverable before any one or more of his Majesty's Justices of the peace of the county, riding, city, liberty, town, or place, wherein the offence shall be committed, on proof of the offence, either by the voluntary confession of the party or parties accused, or by the oath of one or more credible witness or witnesses; and one moiety of every such penalty shall belong and be paid to the informer or informers prosecuting for the same, and the other moiety thereof shall be paid into the hands of the receiver general for the county wherein the offence shall be committed, to be applied to the purposes of this act; and in case of non-payment, the offender may be levied by distress and sale of the offender's goods and chattels, by warrant under the hand and seal of such justice, and the overplus of the money raised, after deducting the penalty, and the expences of the distress and sale, shall be rendered to the owner or owners, and for want of sufficient distress the offender shall be sent by such justice to the prison of such county, riding, city,

Such list not to subject any person to more duty than he was liable to before.

Delivery of list to free the party from all penalties and surcharges.

Mode of recovery, and application of the penalty.

Tenancy may be levied by distress.

Offenders may be committed for want of distress.

Anno regni tricesimo septimo GEORGII III. c. 6. [1796.
city, liberty, town, or place, for such time not exceeding six months, nor less than one month, as such justice shall think most proper.

Sub-division meetings to prepare lists of persons appearing to be chargeable for horses.

XI. And be it further enacted, That at the respective sub-division meetings to be held next after receiving the copy of such schedule as aforesaid, the deputy lieutenants there assembled shall cause to be prepared one list, in writing, signed by them, or any two of them, containing the names and places of residence of all persons appearing by such copy to be respectively charged to the said duties for ten or more horses, mares, or geldings, and shall, by distinct enumerations of the horses, mares, or geldings, for which each person shall be so charged, as far as the same is practicable, each enumeration to consist of ten horses, mares, or geldings, in pursuance of the directions of this act, appoint the number of men, and also the number of mares or geldings, which each person inserted in such list shall provide, in respect of the horses, mares, and geldings, so enumerated; and if after such enumeration made, any number of horses, mares, or geldings, less than ten, shall remain, then the said deputy lieutenants shall also insert the same in such list; and the said deputy lieutenants shall also cause to be prepared another list, containing the names and respective places of residence of the several persons herein-before described, who shall be respectively charged for any number of horses, mares, or geldings, not amounting to the number of ten, and which are not enumerated in the list before mentioned, together with the number thereof; and also the names and respective places of residence of all other persons within the precinct of such sub-division meetings, who shall be charged as aforesaid for one horse, mare, or gelding, or for any number of horses, mares, or geldings, less than ten in the whole of such charge, together with the number thereof; and the names of all persons included in such last-mentioned list, shall be placed in distinct classes, with reference to the number of horses, mares, or geldings by them respectively kept and charged as aforesaid; so that ten horses, mares, or geldings, and no more, shall be included in one class; and so that the name of any one person included in such last-mentioned list, shall not be inserted in two or more distinct classes; and so that every person named in any such class, shall stand one chance in the ballot, herein-after mentioned, for every horse, mare, or gelding, contained in such last-mentioned list, for which he or she is charged to the said duties: provided always, if after classing the horses, mares, and geldings, charged as aforesaid, within the precinct of any sub-division meeting, any number of horses, mares, or geldings shall remain to be enumerated, an account of the same shall be carried to some adjoining sub-division meeting in the county, riding, or place, where the like result has taken place, and so *toties quoties*, until the whole number of horses, mares, or geldings, charged in such county, riding, or place, shall have been enumerated, as nearly as may be, and the number of men enrolled in such county, riding, or place, may as nearly as possible be in proportion to the

If, after classing horses within any sub-division, any shall remain to be enumerated, an account of them shall be carried to some adjoining sub-division.

number

number of horses, mares, and geldings, charged to the said duties, throughout the whole county, riding, or place.

XII. And be it further enacted, That the deputy lieutenants who shall have prepared such lists and classes, shall cause the same to be fairly written and deposited in the hands of the clerks of their respective sub-division meetings, for the inspection of the several persons charged to the said duties (who are hereby empowered to demand, at all seasonable hours, inspection of the same *gratis*), and shall appoint another meeting to be held within fourteen days then next ensuing, within and for the same sub-division, and shall issue out an order to the chief constables or other officers of the respective hundreds, rapes, laths, wapentakes, or other divisions, requiring them to give notice to the constable, tythingman, headborough, or other officer of every parish or place within their respective hundreds, rapes, laths, wapentakes, or other divisions, of the time and place of the next sub-division meeting, and of the place where the lists and classes before described are deposited, and the times of inspecting the same ; all which particulars shall be expressed in the order of the said deputy lieutenants ; and the said deputy lieutenants, or any two or more of them, assembled in pursuance of such appointment, shall cause the name of one person to be drawn, by ballot, out of every class ; and every person whose name shall be so drawn, shall provide one horseman and one mare or gelding, as herein-after described, for each class ; and when the said drawing by ballot shall be finished, the said deputy lieutenants shall cause to be prepared one other list, in which shall be inserted the names of all the persons appointed as aforesaid, and also of all the persons chosen by ballot as aforesaid, for the purposes of this act, distinguishing the cases in which any one person has been appointed to provide two or more men, and in like manner with respect to the number of mares or geldings so to be provided ; and shall appoint another meeting to be held within and for the same sub-division, and shall issue out an order to the chief constables or other officers of the respective hundreds, rapes, laths, wapentakes, or other divisions, to direct the constable, tythingman, headborough, or other officer of every parish or place, to give notice to every person so appointed or chosen by ballot for the purposes of this act, to appear at such meeting, which notice shall be given or left at the place of his abode, at the time when such assessment as aforesaid was made, at least seven days before such meeting ; and such constable, tythingman, headborough, or other officer, shall attend such meeting, and make a return, upon oath, of the times when such notice was served ; and every person so appointed or chosen by ballot for the purpose aforesaid, shall, upon such notice, appear at such meeting, and in case he shall intend to serve personally, shall there take the following oath ; (*videlicet*),

I A. B. do sincerely promise and swear, That I will be faithful and bear true allegiance to his majesty King George ; and I do swear that I am a Protestant ; and that I will faithfully serve

Lists of persons appointed or chosen by ballot to be prepared, and notice given them to attend a meeting.

Persons intended to serve personally to take the following

' serve in the corps in which I am enrolled within the kingdom
 ' of Great Britain, for the defence of the same, during the pre-
 ' sent war, and for the space of one calendar month after the
 ' end thereof.'

and shall be
enrolled.

Substitutes
may be en-
rolled.

Persons ceas-
ing to keep
horses, to re-
ceive back a
proportion of
assessments.

Certain per-
sons exempted
from duty.

Which oath may be administered by any one deputy lieutenant or justice of the peace then present; and every such person shall be enrolled to serve in the cavalry of such county, riding, or place as a private soldier, for the term of his enrolment by virtue of this act: provided always, That if any person so appointed or chosen by ballot shall produce a man, or men, as the case may require, of the same county in which the person appointed or chosen by ballot as aforesaid, is charged to the said duties as aforesaid, or of some next adjoining county, able or fit for service in the cavalry, and who shall be approved by the said deputy lieutenants and justices, or any two or more of them, such men so produced and approved, shall and may be respectively enrolled as substitutes to the person so appointed or chosen by ballot to serve in the cavalry of such county, riding, or place, as private soldiers, for the term of such enrolment by virtue of this act; and every man enrolled as a substitute shall take the oath herein-before prescribed.

XIII. Provided always, and be it further enacted, That if it shall be made to appear to the satisfaction of the deputy lieutenants, at any sub-division meeting to be held as aforesaid, at any time during the continuance of this act, that any person in any such class as aforesaid, has at any time, *bona fide*, ceased to keep any horse, mare, or gelding, or such number of horses, mares, or geldings for which he shall have been charged by such assessment as aforesaid, and shall have remained during the whole interval without any horse, mare, or gelding, liable to duty in lieu of the former, then such person shall be allowed by certificate from the said deputy lieutenants, to receive back such a part of the whole sum which shall have been paid by him or her towards the assessments to be raised by virtue of this act, as shall be proportioned to the interval of time during which he shall have been *bona fide* without any horse, mare or gelding, or number of horses, mares, or geldings, in respect of which he shall have been charged by such assessment, or any mare or gelding, or mares or geldings in lieu thereof.

XIV. Provided also, and be it further enacted, That no person who shall serve as a commissioned officer in any regiment, troop, or company, in his Majesty's other forces, or in the militia raised by virtue of any act or acts now in force, or to be passed in this session of parliament, or in any volunteer corps raised by virtue of any such act or acts of parliament, and who shall have been enrolled therein before the twentieth day of October one thousand seven hundred and ninety-six, or shall have offered themselves and been accepted before the said twentieth day of October to serve upon vacancies which shall have happened or who shall, at his or her expence, furnish a horse for any per-

for serving in any such corps as aforesaid; nor any person who shall serve in any one of his Majesty's castles or forts; nor any non-commissioned officer or private man serving in any of his Majesty's other forces, or in the militia, by himself or substitute, or in any such volunteer corps as aforesaid; nor any person being a resident member of either of the universities; nor any clergyman; nor any teacher of any private congregation; nor any persons acting in a medical capacity, who, on account of their circumstances, in the opinion of two deputy lieutenants, shall be esteemed fit to be exempt from the service required by this act; nor any constable or other peace officer serving for any parish or place; nor any person having been, or being before or on the twentieth day of *October* one thousand seven hundred and ninety-six, an articled clerk, or apprentice; nor any seaman, or sea-faring man; nor any person mustered, trained, and doing duty, or employed, in any of his Majesty's docks or dock yards for the service thereof; or employed and mustered in his Majesty's service in the tower of *London*, *Woolwich Warren*, the several gun wharfs, or at the several powder mills, powder magazines, or other storehouses, belonging to his Majesty, under the direction of the board of ordnance; nor any person being free of the company of watermen of the river *Thames*, and who respectively shall not be charged to the said duties for more than one horse, mare, or gelding, shall be liable to provide any man or men, or any mare or gelding, or mares or geldings, for his Majesty's service in pursuance of this act.

XV. Provided also, and be it further enacted, That no officer further ex-
of his Majesty's army, or of the militia whilst in actual service, emptions.
shall be liable to provide any man or men, or any mare or gelding, mares or geldings, in pursuance of this act, in respect of any horse, mare, or gelding, or any number of horses, mares, or geldings, kept by such officer within the number allowed to receive forage by his Majesty's regulations.

XVI. Provided also, and be it further enacted, That if in any class of persons to be made out as aforesaid, the person on whom the lot shall fall shall not be actually possessed of any mare or gelding, or if the mare or gelding which he shall provide shall not be approved of at a muster to be taken in pursuance of this act, then any other person in the same class shall be at liberty to provide a mare or gelding to serve for such class, and to receive the compensation to be allowed for extra expences for such mare or gelding; and if no person in the same class shall provide a mare or gelding to serve for such class, which shall be approved as aforesaid, then a mare or gelding shall be provided by the person so ballotted, who shall be allowed in respect thereof such sum of money as shall be settled by the deputy lieutenants, at a sub-division meeting of lieutenancy of the same county, riding, or place, to be a fair compensation to such person for the same, which compensation the deputy lieutenants acting in the division where such ballot shall have been made, shall demand from the receiver general of the county, riding, or place, who is hereby required

to pay the same out of the monies in his hands of the sums raised by virtue of this act; and if he shall not have sufficient of the said money, then to pay the same out of the duties before-mentioned, or any other duties under the management of the commissioners for affairs of taxes, and the same shall be allowed to such receiver general in his accounts; and such sum so received shall be paid by the said deputy lieutenants to the person entitled to receive such compensation as aforesaid; and the sum so settled for such compensation as aforesaid, shall be added to the last assessment of the several persons contained in the same class to the duties on horses, in proportion to the number belonging to them respectively, and levied and accounted for, together with the duties therein contained.

Where any allowance is made, for providing a horse, it shall remain in the care of the person providing it, who shall deliver it up in a limited time, or be liable to penalty.

Such horses to be disposed of, and the price paid to the receiver general of the county.

Inferior officers of excise keeping a horse for the performance of their duty exempted.

If in any class there shall be no person fit for military service, he on whom the lot falls shall provide a substitute, for which he shall be allowed a compensation.

XVII. Provided also, and be it further enacted, That where any allowance as aforesaid shall have been made to any person in any class as aforesaid on whom the lot shall have fallen, in order to enable him to provide a mare or gelding for the service required by this act, such mare or gelding shall remain in the care of the person providing the same, subject to the regulations and conditions of this act; but such person shall be bound at any time, within one month after the conclusion of the war, to deliver such mare or gelding to any person authorised by any two or more deputy lieutenants of the sub-division within which such person resides, or shall on default forfeit and lose a sum which shall at least be equal to the sum before received by such person, and so as not to exceed the sum of twenty-five pounds to be added to the assessment of such person for the said duties, and to be accounted for together with the duties therein contained; and such deputy lieutenants shall cause such mare or gelding to be disposed of to the best advantage, and the price received for the same to be paid over to the receiver general of the county, to be applicable to the purposes of this act.

XVIII. Provided also, and be it further enacted, That no inferior officer of excise, who shall not be charged to the said duties for more than one horse, mare, or gelding, and who shall make it appear to the satisfaction of the deputy lieutenants at any such sub-division meeting as aforesaid, or any two or more of them, that he is obliged by the regulations or orders of his superior officer of excise to keep such horse, mare, or gelding for the necessary performance of his duty as such officer, shall be liable to provide any man, or any mare or gelding, for his Majesty's service in pursuance of this act.

XIX. And be it further enacted, That if in any class of persons to be made out as aforesaid, there shall be no person, who in the opinion of the deputy lieutenants at a sub-division meeting of lieutenancy of the same county, riding, or place, shall be fit for military service, then the person on whom the lot shall first fall shall be bound to provide a substitute, who shall be approved by such deputy lieutenants, and such person shall be allowed in respect thereof such sum of money as shall be settled by such deputy lieutenants to be a fair compensation to such person for the

same, which compensation the said deputy lieutenants shall demand from the receiver general of the county, riding, or place, who is hereby required to pay the same out of the monies in his hands of the sums raised by virtue of this act, and if he shall not have sufficient of the said money, then to pay the same out of the duties before mentioned, or any other duties under the management of the commissioners for the affairs of taxes, and the same shall be allowed to such receiver general in his accounts, and such sum so received shall be paid by the said deputy lieutenants to the person entitled to receive such compensation as aforesaid; and the sum so settled for such compensation as aforesaid shall be added to the last assessment of the several persons contained in the same class to the duties on horses, in proportion to the number belonging to them respectively, and levied and accounted for, together with the duties therein contained.

XX. And be it further enacted, That the clerks of the several sub-division meetings shall, and they are hereby respectively required to transmit to the lieutenant, or to the general meeting of the lieutenancy, of the county, riding, or place, an account, in writing, of the number of men enrolled by virtue of this act within their respective sub-divisions, their respective ages, descriptions, and places of residence, and whether they act as principles or substitutes; and if the full complement of men who ought to be enrolled in any sub-division shall not be enrolled, then the said clerks shall state, in their account, the number of exemptions claimed and allowed in such sub-division, and the number and amount of fines imposed on persons appointed or chosen by ballot for not being enrolled, or for not finding substitutes to be enrolled, and every other cause or occasion of default to the best of his knowledge; which accounts, or true copies thereof, shall be, as soon as conveniently may be, transmitted to his Majesty's privy council; and the lord lieutenant, or deputy lieutenants, at a general meeting of lieutenancy, may direct and order a new appointment to be made, or a new ballot to be taken, from and amongst the persons making such default, as if no appointment had been made or ballot taken with respect to those persons.

XXI. And be it further enacted, That every person shall be liable to the service required by this act, in the parish or place where such person is charged to the said duties upon horses by the last assessment made after the said fifth day of April one thousand seven hundred and ninety-six, and before the passing of this act, although he or she may have removed from the place of charge since the making of the said assessment; and if any person shall be so charged to the said duties in two or more places, then he or she shall be liable to the said service in the place where he or she shall be charged, for the greatest number of horses, mares, or geldings; and certificates of such person being charged in such other place or places, specifying the number of horses, mares, or geldings, for which he or she is rated, shall be transmitted to the general meeting of lieutenancy of the county, riding, or place, wherein

Certificates of places where liable to serve to be granted, gratis.

Persons charged in more than one place may elect in which they will serve, and give notice accordingly.

Men deemed unfit to serve, and certain other persons, not to be enrolled.

Men enrolled to appear dressed according to a pattern appointed by his Majesty, &c.

wherein the said service is hereby required, by the commissioners who shall have made such assessment, in order that the same may be added to the assessment made in the place where such service shall be required; and the clerk of the sub-division meeting where such person shall be returned as being liable to the said service there, shall, if such person requires the same, grant a certificate, *gratis*, under his hand, that such return has been made.

XXII. Provided always, and be it further enacted, 'That if any person liable to the service required by this act, shall be charged in two or more places for the said duties on horses, it shall be lawful for such person to elect in which place he or she shall be returned as liable to the service required by this act; and to give to the commissioners of the land tax of the respective divisions, and also to the deputy lieutenants of the respective sub-divisions of the county, riding, or place wherein he or she is charged, notice, in writing, of the place wherein he or she intends to perform such service; and certificates, in the manner before directed, shall be transmitted to the general meeting of lieutenancy of the county, riding, or place, where such return ought to be made, by the commissioners who shall have made any assessment in such other place or places respectively, in order that the same may be added to the assessment made in the place where such service shall be required, and of which notice shall be so given as aforesaid.'

XXIII. And be it further enacted, That no person shall be enrolled by virtue of this act, who is not, in the opinion of the major part of the deputy lieutenants present at the sub-division meeting at the time appointed for enrolment, such an able bodied man as is fit to serve his Majesty, and is free from ruptures, and every other distemper or infirmity, which may render him unfit to perform his duty; or who, in the opinion of the major part of such deputy lieutenants, shall appear to be under the age of sixteen years, or above the age of fifty years; nor any articled clerk or apprentice as aforesaid, (unless with the consent of the master of such clerk or apprentice); nor any person enlisted in any of his Majesty's forces, or entered in his Majesty's navy, or in any volunteer corps raised by virtue of the said act, passed in the thirty-fourth year of the reign of his present Majesty, and who shall have been enrolled therein before the twentieth day of October one thousand seven hundred and ninety-six.

XXIV. And be it further enacted, That every man who shall be enrolled by virtue of this act, shall be furnished with, and shall appear, in every day of muster, in a suitable dress for a private soldier of cavalry; which dress shall be provided by himself, if he shall serve as a principal, or if he shall serve as a substitute, then by the person for whom he shall so serve, according to the pattern of dress which shall be fixed and settled at a general meeting of lieutenancy for the county, riding, or place, where the persons shall respectively serve, and which shall have been approved of by his Majesty; and the said general meetings of lieutenancy shall and are hereby empowered, from time to time, to make

make necessary regulations respecting the same, and for the appearance of the men on the days of muster, according to the orders established by law for the militia forces; which regulations, being approved of by his Majesty, shall be of the same force, as if the regulations had been set down and enacted in and by this act.

XXV. And be it further enacted, That no mare or gelding shall be admitted at any muster, unless the same shall be of the height of fourteen hands and two inches, nor unless the same be, in the opinion of the officer of muster, fit for military duty, and provided with sufficient furniture, according to such regulations as shall have been established at a general meeting of lieutenancy, with the approbation of his Majesty.

XXVI. And be it further enacted, That if any man enrolled by virtue of this act, shall wilfully neglect to appear at every day of muster appointed by virtue thereof, or shall not appear in the proper dress provided for him as aforesaid, or shall not, in the opinion of the persons authorised to take the muster, have kept the same with due care; and if no reasonable excuse be given by such man for such neglect, every such man shall forfeit for every such offence the sum of five shillings, which shall be deducted out of the first money which he shall be entitled to receive, whether as allowance, pay, or otherwise, by virtue of this act.

XXVII. And be it further enacted, That every person who shall be enrolled to serve as a principal in the said service, and every substitute not having obtained his discharge in manner herein-before directed (and not labouring under any infirmity incapacitating them respectively), who shall not appear at the place appointed for muster according to the directions of this act, before such muster shall be completely taken, and the men dismissed therefrom, or who shall not appear at the time and place appointed for assembling the men of such county, riding, or place, in pursuance of his Majesty's warrant, for calling out and embodying the same, notices thereof respectively having been published as this act requires, shall, if not taken, or not having surrendered within the space of twenty-four hours after the time appointed for such their appearances as aforesaid according to the directions of this act, forfeit and pay the sum of twenty pounds, to be paid into the hands of the receiver general of the county, riding, or place, for which such person shall have been appointed to serve, and all such penalties before-mentioned shall be levied by distress and sale of the goods and chattels of the person guilty of such offence, by warrant of any one justice of the peace of the county, riding, or place, where such offence shall be committed; and where sufficient goods and chattels cannot be found to answer the said penalty, then to commit such offender to the common gaol or house of correction, there to be kept to hard labour for the space of twelve calendar months, unless such penalty shall be sooner paid or satisfied.

XXVIII. And be it further enacted, That if any person appointed to provide any man or men for the said service, shall wilfully

No horse to be admitted at muster, unless of a certain height, &c.

Penalty on men enrolled for not appearing at every muster day, &c.

Penalty on men enrolled as principals or substitutes not appearing at the place of muster before taken, or not appearing at the time and place for assembling when called out and embodied, which may be levied by distress.

Penalty on persons appointed to provide men,

who neglect to provide cloathing and horfe furniture :

penalty on any person chosen by ballot to provide a man, for a like default before the first muster, and on the clas, for not providing them before the next muster.

Penalty on persons appointed or chosen by ballot to provide men, who shall not appear to be enrolled, or provide substitutes.

Penalty on persons, appointed to

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 wilfully neglect to provide suitable cloathing, according to the directions of this act, or to provide proper furniture for each and every mare or gelding to be kept by him or her, for the purposes of this act, (before the first muster of men to be had in the subdivision where he or she is charged to the said duties), to be used at every successive muster to be had under this act, every such person shall, for every such neglect, forfeit and pay the sum of forty shillings, to be added to the assessment of such person, and to be levied and accounted for together with the duties therein contained, in the manner herein directed.

XXIX. And be it further enacted, That if any person chosen by ballot to provide any man for the said service, shall neglect to provide suitable cloathing, according to the directions of this act, or to provide proper furniture for the mare or gelding to be kept by him or her for the purposes of this act, before the first muster of men to be had in the subdivision where he or she is charged to the said duties, to be used at every successive muster as aforesaid, every such person shall forfeit and pay the sum of twenty shillings, which sum shall be added to the assessment of such person, and levied and accounted for together with the duties therein contained ; and if after defaught so made, the several persons composing the same clas, with the person so making default, shall not, before the next muster to be had after notice in writing given of such default, provide and produce proper cloathing and furniture to be used as aforesaid, then the several persons composing that clas shall forfeit and pay the sum of thirty shillings; which sum shall be assessed upon them rateably in proportion to the number of horses, mares, and geldings, included in that clas for which each such person is charged to the said duties ; and the said several proportions of such fine shall be added to their respective assessments, and levied and accounted for together with the duties therein respectively contained.

XXX. And be it further enacted, That if any person appointed or chosen by ballot, by virtue of this act, to provide one man for the said service, shall willfully, and without any reasonable excuse, to be allowed as aforesaid, refuse or neglect to appear and take the said oath, and be enrolled to serve in the cavalry, according to the directions of this act, or to provide a substitute who shall be approved of, and who shall take the said oath and be enrolled as a substitute ; or if any person appointed by virtue of this act to provide two or more men for the said service, shall refuse or neglect to provide men, either by personal service for one of such men, or by a substitute for each man to be provided, who shall respectively be approved of, and take the said oath and be enrolled as aforesaid ; every person so refusing or neglecting shall forfeit and pay, for and in respect of each man so to be provided, the sum of fifteen pounds ; which fine and penalty shall be added to the last assessment of such person, and shall be levied and accounted for together with the duties contained therein.

XXXI. And be it further enacted, That if any person appointed by virtue of this act to provide any mare or gelding, or any

any number of mares or geldings, for the said service, shall wilfully and without any reasonable excuse, to be allowed as aforesaid, refuse or neglect to provide the full complement of mares or geldings by him or her appointed to be provided, which shall respectively be approved at a muster to be taken in pursuance of this act; or having provided such mare or gelding, or such number of mares or geldings, shall neglect or refuse to maintain and keep his or her full complement of mares or geldings, so appointed to be provided, and to produce the same in a condition fit for military duty, to be approved at every successive muster to be taken in pursuance of this act, before such time as the said forces shall be actually embodied, every such person shall, for every mare or gelding, of which default shall be made as aforesaid, forfeit and pay the sum of twenty pounds, to be added to the last assessment of such person, and levied and accounted for together with the duties therein contained.

XXXII. And be it further enacted, That if any person chosen by ballot to provide any mare or gelding for the said service, shall refuse or neglect to provide a mare or gelding which shall be approved of at a muster to be taken in pursuance of this act, or having provided such mare or gelding shall neglect or refuse to maintain and keep a mare or gelding, and to produce the same in a condition fit for military duty, to be approved at every successive muster to be taken in pursuance of this act, before such time as the said forces shall be actually embodied, every such person shall forfeit and pay the sum of ten pounds, which sum shall be added to the last assessment of such person, and levied and accounted for together with the duties therein contained; and if after default so made, the several persons composing the same class with the person so making default, shall not, within the space of fourteen days after notice in writing given of such default, provide and produce a mare or gelding at every successive muster to be taken in pursuance of this act, in a condition fit for military duty, to be approved as aforesaid, and maintain and keep the same according to the directions of this act, then the several persons composing that class shall forfeit and pay the sum of fifteen pounds, which sum shall be assessed upon them rateably in proportion to the number of mares or geldings included in that class for which each such person is charged to the said duties, and the said several proportions of such fine shall be added to their last respective assessments, and levied and accounted for together with the duties therein respectively contained.

XXXIII. Provided also, and be it further enacted, That if any person, providing any mare or gelding at any muster which shall not be approved by the deputy lieutenants as aforesaid, shall have been possessed at the time of any other mare or gelding, mares or geldings, fit for service, and shall not, within fourteen days from the time of the mare or gelding provided by him or her being rejected, have provided another mare or gelding which shall be approved, such person, on proof that he or she had in his or her possession, a mare or gelding, mares or geldings, which shall

shall appear to the satisfaction of two or more deputy lieutenants to have been at the time actually fit for service, shall forfeit and lose such sum of money as shall be fixed by any two or more deputy lieutenants as aforesaid, not exceeding the sum of twenty-five pounds for each mare or gelding of which default shall be made, to be added to the assessment of such person, and accounted for together with the duties therein contained.

Substitutes,
before ordered
to be drawn out,
may give notice of intention to resign, and shall be discharged, on the principal producing another substitute, &c.

XXXIV. Provided always, and be it further enacted, That it shall and may be lawful for any person enrolled to serve by virtue of this act as a substitute, at any time before he shall be ordered to be drawn out or embodied, to give notice in writing of his intention to resign to any one or more of the deputy lieutenants or justices of the peace of the county, riding, or place, acting for the sub-division for which he shall serve; and such deputy lieutenant or justice of the peace, shall issue a summons to the person or persons for whom such substitute shall have served, to appear at the next meeting to be holden for such sub-division, and to produce another substitute, who shall be approved, and shall be enrolled and sworn as aforesaid, and thereupon the person so resigning shall be entitled to his discharge, and which shall be made out in writing under the hands of any two or more deputy lieutenants or justices of the peace, provided that no person who shall upon his enrolment have received any money or other consideration for his service from the person or persons for whom he shall serve, shall be entitled to his discharge until the full sum or value so received shall be repaid and satisfied: provided also, that all arms, accoutrements, cloathing or materials whatever, shall be delivered up in good condition before such discharge shall be granted.

When musters shall be had.

XXXV And be it further enacted, That musters of the men enrolled by virtue of this act, shall be had from time to time within each sub-division of every county or riding, at such times, and at such places, as shall be fixed at any general meeting of lieutenancy, with the approbation of his Majesty; of which times and places notice shall be given, by publick advertisement, in some newspaper usually circulated in the same county or riding, fourteen days before the time of such muster; and if any person enrolled by virtue of this act shall wilfully absent himself from such muster by the space of one hour after the time appointed for taking the same, every such person shall forfeit and pay any sum not exceeding ten shillings, to be deducted out of the first money which such person shall be entitled to receive, whether as allowance, pay, or otherwise, by virtue of this act; and the lieutenant of the county, riding, or place, with the consent of the deputy lieutenants of the sub-division where such person shall have been enrolled, may discharge such person, and direct another person to be chosen in his place.

Persons so absenting may be discharged, and others chosen.

Who shall muster the men enrolled and fine them for neglect.

XXXVI. And be it further enacted, That the deputy lieutenants of every sub-division of any county or riding, and the commanding officer of the regiment, battalion, or independant company, or such officer or officers as his Majesty shall have appointed

pointed for that purpose, or any two or more of them, shall muster the men enrolled by virtue of this act, within their respective sub-divisions, in such manner as may by law be used in mustering the militia forces; and all fines imposed on any person enrolled for any neglect of duty in any matter relating to such muster, shall be ordered, adjudged, and imposed by the said deputy lieutenants, commanding officer, or other officer or officers aforesaid, or any two of them, who are hereby empowered finally to determine the same.

XXXVII. And be it further enacted, That the like penalties and forfeitures as are directed to be inflicted against persons belonging to his Majesty's army, for causing themselves to be falsely mustered, or against persons for procuring the same to be done, or for aiding or assisting them therein, by any law now in force, or hereafter to be passed for punishing mutiny and desertion in respect of his Majesty's army, shall extend to every person enrolled by virtue of this act, who shall be guilty of the like offence or offences, their procurers, aiders, and abettors, respectively.

XXXVIII. And be it further enacted, That the general meetings of lieutenancy in the several counties, ridings and places in that part of *Great Britain* aforesaid, shall cause to be prepared an estimate of the allowance to be made for providing a man to attend the general musters, and of cloathing such man according to the directions of this act, and what ought reasonably to be allowed to the persons providing such mares or geldings for the said service, for any extra expences to be incurred in providing furniture, maintaining and keeping such mares or geldings, for the space of one year, which such persons would not be subject to if such mares or geldings were not provided for such service, and shall settle and determine at what times such allowances shall be made; and every person who shall be appointed or chosen by Persons pro-ballot to provide any man, or any mares or geldings, for the purpose aforesaid, and who shall duly conform to the regulations of this act, shall be entitled to receive the full allowance so settled; and the deputy lieutenants within their respective divisions shall demand from the receiver general of the county, riding, or Deputy lieutenance place, all such sums of money as shall become due in respect of the men, and also the mares and geldings, provided within such division, for the use of the persons providing the same respectively, to be paid to them at such times as shall be fixed and settled by the said general meetings of lieutenancy; which sums such receivers general are hereby required, from time to time, during the continuance of this act, until the men enrolled by virtue of this act shall be called out and embodied by virtue of the powers hereby given to his Majesty, on demand, to pay, on the production of the certificate of the conformity to the regulations of this act, signed by the officer or officers of muster appointed by virtue of this act, taking a proper receipt or receipts for the same, out of the monies in his hands of the sums raised by virtue of this act; and if he shall not have sufficient of the said money, then to pay the

The penalties for false musters in the army to extend to this act.

Meetings of lieutenancy to prepare certain estimates.

Persons providing men or horses to be entitled to a settled allowance.

ceive the money due for allowances from the receiver general, &c.

the same out of the duties before-mentioned, or any other duties under the management of the commissioners for the affairs of taxes; and all such payments shall be allowed to such receivers general in their accounts.

Clerk of general meetings to transmit an account of allowances, &c. and fines, to the commissioners of the land tax for the county, who shall insert the fines in the assessments, and charge the persons liable to provide men and horses, in proportion to the number of horses kept, &c.

XXXIX. And be it further enacted, That the clerk of the general meetings of lieutenancy in any county, riding, or place, shall, and he is hereby required to transmit a true account of the allowances to be made to the several persons before-mentioned, on account of their providing any man or men, or any mare or gelding, or any mares or geldings, for the said service, to the commissioners of the land tax for the same county, riding, or place, within their respective divisions; which accounts shall contain the names and places of residence of all such persons who are charged to the said duties in respect of any horses, mares, or geldings, together with the number thereof kept by them respectively within those divisions, and also the names and places of residence of persons exempted from the provisions of this act; and shall also, from time to time, transmit an account of all fines imposed on any person or persons by virtue of this act; and the said commissioners shall cause the said fines to be inserted in the assessments for the then current year, and the persons so fined to be respectively charged therewith; and shall also cause all the persons, within their divisions liable to provide men, and mares or geldings, as aforesaid, for the said service, to be assessed in proportion to the number of horses, mares, and geldings by them respectively kept, and charged to the said duties, towards payment of the allowances to be made to the several persons before-mentioned, for providing such men and horses for such service, which assessments shall be added to the assessments of the said duties upon horses, and shall include all allowances to be made from the passing of this act until and upon the fifth day of April one thousand seven hundred and ninety-seven, and afterwards for one whole year from the fifth day of April yearly during the continuance of this act, until the men enrolled by virtue of this act shall be drawn out and embodied; and the same shall be paid on the usual quarterly days of payment during such time as the men enrolled by virtue of this act shall continue to be mustered in pursuance of this act, or until they shall be drawn out and embodied; and if any sum inserted in such assessment shall not have become payable at the expiration of this act, or when the men enrolled by virtue of this act shall be drawn out and embodied, such sum shall be struck out of such assessment by the said respective commissioners.

Application of assessments paid to the receiver general.

XL. And be it further enacted, That all monies raised by assessment by virtue of this act, and paid into the hands of the receiver general of the county, riding, or place, shall be applied, in the first place, to reimburse such receiver general the monies paid by him out of the produce of the said duties upon horses, or any other duties herein mentioned, and in the next place towards paying the allowances directed to be made to persons providing the military force to be raised by virtue of this act in the manner herein directed,

directed, and afterwards towards reimbursing the monies directed to be advanced by the commissioners of the treasury towards the expences of executing this act; and if any monies shall remain, the same shall be applied towards providing men, and mares or geldings, for the service required by this act, in any case where default shall be made in providing the same according to the directions herein-before contained; and any surplus remaining when the men shall be drawn out and embodied, and not wanted for any of the purposes aforesaid, shall be paid to the colonels or commanding officers of the respective regiments or troops, and be applied as part of the regimental stock.

XLI. And be it further enacted, That if at any time before the men shall be called out and embodied, according to the directions of this act, it shall appear, to any two or more deputy lieutenants or justices assembled at any sub-division meeting, that any person appointed or chosen by ballot to provide for the said military service, and tendering himself to serve, or any person tendered as a substitute for the said service, or if it shall appear to the officer or officers appointed to muster the men to be raised by virtue of this act, that any person, although sworn and enrolled, is unfit for military service, or that after enrolment such person is become unfit for military service, it shall be lawful for the said deputy lieutenants, and justices, or any two of them, assembled at such sub-division meeting, to refuse such man to be enrolled, and for the officer or officers appointed to muster the said men, at such muster to discharge such man from service; and the deputy lieutenants and justices assembled at any meeting within the same sub-division shall and they are hereby required to amend the list and enrolment, as the case may require, and to cause another appointment to be made upon the person before appointed to the same service, or another ballot to be taken from the same class, according to the circumstances of the case, and as if no former appointment had been made or ballot been had.

XLII. And be it further enacted, That all fines, penalties, and forfeitures, to be imposed by virtue of this act, for any breach of the regulations thereof, which are hereby directed to be added to the respective assessments of the said duties on horses, (except such fines as shall be imposed at a muster had under this act in manner before directed), shall be ordered, adjudged, and imposed, at the respective sub-division meetings of the county, riding, or place, where such offences shall be committed, by the deputy lieutenants and justices there attending, or any two or more of them, who are hereby empowered finally to determine the same; and all such fines, penalties, and forfeitures, which are hereby directed to be added to the respective assessments of the said duties on horses, shall, as soon after adjudication thereof as may be convenient, be certified by the deputy lieutenants and others hereby empowered to adjudge the same, under the hands and seals of any two or more of them respectively to the commissioners of the land tax of the division where the person against whom the same is directed to be levied is charged to the said duties on horses;

horses; and such commissioners shall, on receipt of any such certificate, cause the fine or fines contained therein, to be added to the then last assessment of such person for the said duties on horses, and to be levied in the manner, and under the like powers, as the duties on horses may be levied by any law now in force.

Lists of persons to provide men, and of classes, to be transcribed into a book, and kept by the clerks of sub-division meetings; as also all their proceedings, and of the general meetings of lieutenancy, which shall not be subject to appeal.

XLIII. And be it further enacted, That all lists of persons appointed or chosen by ballot to provide men for the said service, and of the classes composing the same, shall be carefully transcribed into a book to be prepared by order of every sub-division meeting of lieutenancy, and kept by the clerk of such meetings; and that all orders, regulations, and proceedings of such meetings, and also of the general meetings of lieutenancy, made in pursuance of this act, shall also be carefully transcribed into a book or books to be prepared by order of such meetings respectively, and kept by the respective clerks thereof; which books shall be open to the inspection of any person assessed to the said duties on horses, within the same county, riding, or shire, at all seasonable times, paying sixpence, and no more, for each inspection; and that no order, adjudication, or proceeding whatever, of any general meeting, or sub-division meeting of lieutenancy, holden in pursuance of this act, shall be subject to appeal, nor to be removed by *Certiorari*, or other writ or process, into any court whatsoever.

His Majesty may cause the men enrolled to be drawn out and embodied, as the augmentation to the militia forces.

Lieutenants, &c. with his Majesty's approbation, may appoint officers and non-commissioned officers, the former being qualified as in the militia; or officers in the army, or such as have retired from it, or the militia.

XLIV. And be it further enacted, That it shall be lawful for his Majesty to cause the men enrolled by virtue of this act, to be drawn out and embodied at such times, and in such manner, and under the like regulations and restrictions, as the augmentation to the militia forces to be raised by virtue of any act to be passed in this session of parliament, may be drawn out and embodied; and it shall be lawful for his Majesty to form the men enrolled for any county, riding, or place, when so drawn out and embodied, into a regiment, or into battalions or troops, as shall seem most expedient; and for the lieutenant, or general meeting of lieutenancy, in such county, riding, or place, to be holden as herein is directed, with the approbation of his Majesty, at any time after the passing of this act, to appoint officers and non-commissioned officers to the command of such regiment, battalions, or troops, under the like rules and regulations as are established with respect to the cavalry of his Majesty's forces, such officers being respectively qualified in the manner required by the laws relating to the militia; and in case when the men so enrolled shall be embodied, a sufficient number of officers so qualified shall not have been appointed, or cannot be found to accept commissions in such regiments, battalions, or troops, it shall be lawful for the lieutenant, or general meeting of lieutenancy aforesaid, with the approbation of his Majesty, to appoint for that service such a number of the officers in the army, whether on full or on half pay, or of persons who have had commissions in any of his Majesty's forces, or in the militia, and have retired therefrom, although not duly qualified as aforesaid.

XLV. Provided

XLV. Provided always, and be it further enacted, That The men enrolled not to be ordered out of Great Britain.

XLVI. And be it further enacted, That from the date of his Majesty's warrant for drawing out and embodying the forces to be raised by virtue of this act, the officers and private men shall be entitled to the same pay as the officers and private men of his Majesty's other regiments of cavalry receive, and no other; and if any non-commissioned officer or private man of any such regiment, battalion, or troop, shall be maimed or wounded in actual service, he shall be equally entitled to the benefit of Chelsea hospital with any non-commissioned officer or private man belonging to any of his Majesty's other forces; and if any mare or gelding shall die or be maimed or wounded in actual service, the proprietor thereof shall have a reasonable allowance for the same, by the certificate of the commanding officer of the regiment, battalion, or company, where such mare or gelding had or then served, to be directed to the deputy lieutenants of the sub-division where such mare or gelding was provided, which the said commanding officer is hereby empowered and required to grant, and which allowance shall not in any case exceed the sum of twenty-five pounds, and which shall be paid by the receiver general of the county, riding, or place, out of any monies in his hands arising by virtue of this act, or of the said duties on horses, or of any other duties under the management of the said commissioners of taxes, in the manner herein directed in respect to other payments to be made by such receivers general.

XLVII. And be it further enacted, That from the day appointed by his Majesty's warrant for drawing out the men, enrolled by virtue of this act, into actual service, all the rules, regulations, pains, penalties, and forfeitures, established by an act of the last session of parliament, for punishing mutiny and desertion, and for the better payment of the army and its quarters, or which shall be established by any act to be passed in this or any future session of parliament for the like purpose, during the continuance of this act, shall extend and be applied, and be construed to extend and be applied, to the men enrolled by virtue of this act, as fully and amply as to any other of his Majesty's forces.

XLVIII. Provided always, and be it further enacted, That any person enrolled by virtue of this act may, at any time before he shall be ordered to be drawn out and embodied, enlist himself in any regiment of his Majesty's regular forces; but that no such enlistment shall be valid without the consent of the deputy lieutenants of the sub-division where such person shall be enrolled, or any two of them, in writing under their hands and seals; in which case another person shall be provided in the room of the person so enlisted, according to the directions of this act.

XLIX. And be it further enacted, That the respective clerks of the general meetings of lieutenancy, the clerks of the respective

When drawn out and embodied, the officers and men to receive the same pay as in other regiments of cavalry; and the non-commissioned officers and privates entitled to Chelsea hospital.

Allowance to be made for horses dying, &c. in actual service.

When the men are drawn out into actual service, the mutiny act shall extend to them.

Persons enrolled before drawn out may enlist in the regular forces, with the consent of two deputy lieutenants, and others to be provided.

to be reward-
ed, as the de-
puty lieute-
nants shall
think proper,
by the re-
ceiver general.

tive sub-divisions of lieutenancy, of the commissioners of the land tax, constables, and other officers who are hereby respectively required to execute this act, in any of the particulars herein mentioned, and who shall respectively execute the same to the satisfaction of the deputy lieutenants assembled at their respective sub-division meetings, shall have and receive such rewards, and no other, for their care and trouble in and about the executing of this act, and for their respective expences and charges in the same, as the said deputy lieutenants shall judge the said clerks, officers, and other persons, to have deserved; and the said deputy lieutenants shall, after allowance thereof, direct the same to be paid by the receiver general of the county, riding, or place, out of any money in his hands of the assessments levied by virtue of this act, whether the same shall have been levied as fines, or for the expences in providing a military force; and if such receiver general shall not have sufficient money in his hands of the said assessments to pay the same, then such receiver general may pay the same out of any monies in his hands of the said duties on horses, or any other duties under the management of the commissioners for the affairs of taxes: provided always, That all monies of the said duties under the management of the said commissioners, which any receiver general shall pay in pursuance of this act, shall be reimbursed to him by and out of the first monies that shall come to his hands of the assessments levied by virtue of this act.

General or
sub-division
meetings may
require the
attendance of
peace officers:

penalty on
such officers
for neglect of
duty.

§4 Geo. 2.
c. 44. to
extend to
lieutenants
and deputy
lieutenants.

L. And be it further enacted, That it shall be lawful for the lieutenant and deputy lieutenants, at any general or sub-division meeting of lieutenancy, or any two or more of them respectively present at such meetings, from time to time, to issue their order or warrant, under their hands and seals, requiring the attendance of the high constable, tythingman, headborough, or other officer of the peace, at such time and place as in such order or warrant shall be expressed; and if any such officer shall refuse or neglect to appear according to such warrant, or shall refuse or neglect to comply with such orders and directions as he or they respectively shall, from time to time, receive from the said lieutenant and deputy lieutenants respectively, they, or any two or more of them, are hereby empowered and required, at their discretion, to fine such person or persons in any sum, not exceeding twenty pounds nor less than forty shillings, to be applied towards defraying any expences incurred in the execution of this act; and in case of nonpayment within thirteen days, to commit the person so offending to the common gaol, there to be kept for the space of one month without bail or mainprize.

LI. And be it further enacted, That the provisions of an act, passed in the twenty-fourth year of the reign of his late majesty King George the Second, intituled, *An act for the rendering justic of the peace more safe in the execution of their office, and for indemnifying constables and others acting in obedience to their warrants,* shall extend to all his Majesty's lieutenants, and to all deputy lieutenants acting in the execution of this act, in like manner, and

and as fully and effectually, as the same extend to justices of the peace acting in the execution of their office.

LII. And be it further enacted, That the acceptance of a commission in any regiment, battalion, or troop, raised by virtue of this act, shall not vacate the seat of any member returned to serve in parliament; and that no person being an officer of any such regiment, battalion, or troop, shall be compelled to serve the office of sheriff.

LIII. Provided always, and be it enacted, That no officer of any such regiment, battalion, or troop, or private therein, shall be liable to any penalty or punishment for or on account of his absence during the time he shall be going to vote at any election of a member to serve in parliament, or during the time he shall be returning from such election.

LIV. And be it further enacted, That no private man in any such regiment, battalion, or troop, from the time of his enrolment until he shall be regularly discharged, shall be compelled to serve as a peace officer or parish officer, or to serve in any of his Majesty's sea forces.

LV. And be it further enacted, That every person having served in any such regiment, battalion, or troop, when drawn out into actual service, being a married man, may set up, and exercise any trade in any town or place within Great Britain, without any let, suit, or molestation, of or from any person or persons whomsoever, for or by reason of using or exercising such trade, as freely, and with the same provisions, and under the same regulations, and with the like exception in respect to the two universities, as any mariner or soldier can or may do by virtue of an act, passed in the twenty-second year of his late Majesty's reign, intituled, *An act to enable such officers, mariners, and soldiers, as have been in his Majesty's service since his accession to the throne, to exercise trades*; and no such person shall be liable to be removed out of any such town or place, until he is become chargeable to the parish.

LVI. Provided always, and be it further enacted, That all such towns and places as by an act passed in the twenty-sixth year of his Majesty's reign, intituled, *An act for amending and reducing into one act of parliament, the laws relating to the militia in that part of Great Britain called England*, are directed to be deemed to be situate within and part of any counties, ridings, or places, for the purposes of the said act, shall also be deemed to be situate within and part of the same counties, ridings, and places respectively, for the purposes of this act, and shall be subject to the jurisdiction and authority of the lieutenants, deputy lieutenants, justices of the peace, and other officers of the respective counties, ridings, and places, within which such towns and places are hereby and by the said act deemed to be situate in such and the same manner as is provided by the said act.

LVII. Provided also, and be it further enacted, That this act, or any thing herein contained, shall not be deemed or construed to be a precedent, on any future occasion, to diminish or prejudice the rights of the city of London.

Anno regni tricesimo septimo GEORGII III. c. 7. [1796.]
 prejudicial to the rights, liberties, customs, privileges, immunities, and exemptions, to which the mayor and commonalty and citizens of the city of *London*, or the freemen, citizens, or inhabitants of the said city are entitled to enjoy by prescription, act of parliament, charter, usage, or otherwise howsoever.

Limitation of actions.

LVIII. And be it further enacted, That if any action or suit shall be brought against any person or persons, for any thing done in pursuance of this act, such action or suit shall be commenced within six months next after the fact committed, and not afterwards, and shall be laid in the county or place where the cause of complaint did arise, and not elsewhere; and the defendant or defendants in every such action or suit may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon; and if the jury shall find for the defendant or defendants in any such action or suit, or if the plaintiff or plaintiffs shall be nonsuited, or discontinue his or their action or suit after the defendant or defendants shall have appeared, or if upon demurrer judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and have the like remedy for the same, as any defendant hath in any other cases to recover costs by law.

General issue.

Treble costs.

Act may be altered or repealed this session.

Continuance of act.

LIX. Provided always, and be it further enacted, That this act may be altered, varied, or repealed, by any act or acts to be made in this present session of parliament.

LX. And be it further enacted, That this act, with respect to the direction of the service of the men enrolled by virtue thereof, shall continue and be in force during the present war, and for the space of one calendar month after the determination thereof: provided always, That all the powers and regulations of this act, which shall be necessary for enforcing the due collection of the monies required for the pay, cloathing, and maintenance of the forces raised by virtue thereof, until the time of their actual discharge, shall continue and be in force for six calendar months after the end of the present war, and from thence to the end of the then next session of parliament.

C A P. VII.

An act to continue for a limited time, and amend an act made in the last session of parliament, intituled, An act to prohibit the exportation of corn, meal, flour, and potatoes, and to permit the importation of corn, and other articles of provision, for a limited time, in any ships whatever, without payment of duty; and for permitting wheat, wheat flour, and meal, imported, in order to obtain the bounties granted by an act of the last session of parliament, but which have not been found fit for making bread, to be used in the manufacture of starch, hair powder, and blue, or in the distillation of low wines and spirits.—[November 11, 1796.]

Preamble.

36 Geo. 3.
c. 3.

WHEREAS an act was passed in the last session of parliament, intituled, An act to prohibit the exportation of corn, meal, flour, and potatoes, and to permit the importation of corn and

and other articles of provision for a limited time, in any ships whatever, without payment of duty: and whereas it is expedient, under the present circumstances, to continue for a further time, and to amend the said act: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the expiration of the said act, and until the expiration of six weeks from the commencement of the next session of parliament, it shall not be lawful for any person or persons to export, from any part of this kingdom, any British or foreign wheat, rye, barley, beer, or bigg, pease, beans, oats, or any meal or flour, or bread, biscuit, or malt, made thereof, or any potatoes, or any Indian corn or maize, or meal or flour made thereof; and Foreign corn, &c. may be imported duty-free;

that it shall be lawful for any person or persons to import, into any part of this kingdom, any foreign corn, or other articles, as aforesaid, in any British ship or vessel, or in any other ship or vessel belonging to persons of any kingdom or state in amity with his Majesty, and navigated in any manner whatever, without payment of any duty whatsoever; and also to take out of warehouse, for home consumption, any such foreign corn, or other articles, as aforesaid, without payment of any duty whatsoever; any act or acts of parliament to the contrary notwithstanding: and if any person shall export, or shall load or lay on board any ship or other vessel, with intent to export, any corn or other articles, as aforesaid, the person so exporting, or loading, or laying on board, with intent to export the same, shall be liable and subject to the like forfeitures and penalties; and the said corn or other articles, and the ship or vessel in which the same shall be exported, or loaded or laid on board, shall be subject and liable to the like forfeitures, and in like manner to be sued for, prosecuted, recovered, and disposed of, as if the said corn or other articles were exported, or loaded or laid on board, contrary to the provisions of two acts, one passed in the thirty-first year of the reign of his present Majesty, intituled, *An act for regulating the importation and exportation of corn, and the payment of the duty on foreign corn imported, and of the bounty on British corn exported;* and the other passed in the thirty-third year of his present Majesty's reign, intituled, *An act to amend an act, made in the thirty-first year of the reign of his present Majesty, intituled, 'An act for regulating the importation and exportation of corn, and the payment of the duty on foreign corn imported, and of the bounty on British corn exported.'* provided always, That nothing herein contained shall extend, or be construed to extend, to any foreign corn, meal, or flour, that shall have been, or may hereafter be, imported and warehoused in the manner, and on the conditions mentioned in the before-mentioned act in the thirty-first year of his present Majesty's reign, and shall not have been taken out of such warehouse for home consumption.

No wheat, &c. to be exported for a limited time. and taken out of warehouses for home consumption. Persons exporting corn, &c. liable to penalties of 31 Geo. 3. c. 30. and 33 Geo. 3. c. 65. Act not to extend to foreign corn, &c. warehoused, and not taken out for home consumption.

His Majesty in council may permit the carrying coastwise, &c. corn, &c. for the purposes mentioned in the above acts;

and the exportation of a limited quantity to places in amity with his Majesty, south of Cape Finisterre.

Certain articles may be imported, duty-free, from any place, in British vessels, or vessels belonging to places in amity with his Majesty.

Entry to be made of such articles with the officer of the customs, on penalty of forfeiture.

II. Provided also, and be it further enacted, That it shall and may be lawful for his Majesty, his heirs and successors, with the advice of his or their privy council, or by order in council, to permit the carrying coastwise, or carrying out, or the exportation of, the several sorts of corn, or other articles, as aforesaid, for all or any of the purposes mentioned in the said two acts, passed in the thirty-first and thirty-third years of his present Majesty's reign, or either of them, in like manner, and in the same proportions and quantities, and from and to the same ports and places as is allowed by the said two acts, or either of them, at such times as any of the several sorts of corn, or other articles as aforesaid, are prohibited to be exported, subject to the like securities, conditions, regulations, and restrictions, forfeitures, and penalties, as are by the said two acts, or by either of them, in any such case required and imposed; and also to permit, by special order or orders in council, the exportation of a limited quantity of any of the several sorts of corn or other articles as aforesaid, from any port in Great Britain, to any country in Europe in amity with his Majesty, south of Cape Finisterre, subject to such security, conditions, regulations, and restrictions, as by such order in council shall be directed.

III. And be it further enacted by the authority aforesaid, That, from and after the expiration of the said act, and until the expiration of six weeks from the commencement of the next session of parliament, it shall and may be lawful to and for any person or persons whatever to import into Great Britain, from any port or place whatever, in any British ship or vessel, or in any other ship or vessel belonging to persons of any kingdom or state in amity with his Majesty, and navigated in any manner whatever, any beans, called Kidney or French Beans, tares, lentiles, callivancies, and all other sorts of pulse; and also bulls, cows, oxen, calves, sheep, lambs, and swine, beef, pork, mutton, veal, and lamb, whether salted or otherwise, bacon, hams, tongues, butter, cheese, potatoes, rice, sago, sago-powder, tapioca, vermicelli, millet seed, poultry, fowls, eggs, game, and four-croût, without the payment of any duty whatever, at all times before the said expiration of six weeks from the commencement of the said next session of parliament; any thing in any act or acts of parliament to the contrary thereof in anywise notwithstanding.

IV. Provided always, and be it further enacted by the authority aforesaid, That a due entry shall be made of all such beans called Kidney or French Beans, tares, lentiles, callivancies, and all other sorts of pulse; and of such bulls, cows, oxen, calves, sheep, lambs, and swine, beef, and pork, veal, mutton, and lamb, bacon, hams, tongues, butter, cheese, potatoes, rice, sago, sago-powder, tapioca, vermicelli, millet seed, poultry, fowls, eggs, game, and four-croût, that shall be imported by virtue of this act, with the proper officers of the customs, at the port into which the same shall be imported; and in default thereof, the same shall be forfeited, and shall

shall and may be seized by any officer or officers of his Majesty's customs.

V. And be it further enacted by the authority aforesaid, That Recovery and all penalties and forfeitures created and incurred by this act, (and application of not herein otherwise specially directed to be prosecuted and recovered), shall and may be sued for, prosecuted, recovered, and disposed of, in such manner, and by such ways, means, and methods, as any penalties incurred, or any goods, ships, or vessels, forfeited for any offence against the laws of customs, may now be legally sued for, prosecuted, recovered, and disposed of; and the officer or officers concerned in seizures or prosecutions under this act shall be entitled to and receive such share of the produce arising from the seizures as they are now by law entitled to upon prosecutions of seizures for unlawful importation, and to such share of the produce arising from any pecuniary fine or penalty, or composition paid for any offence against this act, as they are now by any law or regulation entitled to upon prosecutions for pecuniary penalties.

VI. Provided always, and be it further enacted, That in case His Majesty, his Majesty, at any time during the recess of parliament, shall during the recess of parliament, judge it to be most for the benefit and advantage of this kingdom to suspend all or any of the provisions of this act, then it shall and suspend this may be lawful to and for his Majesty, his heirs and successors, by act, his or their royal proclamation, to be issued by and with the advice of his privy council, or by his Majesty's order in council, to be published in the *London Gazette* so to do.

VII. And whereas certain quantities of wheat, or wheat flour, or meal, have been imported in order to obtain the bounties granted by an act passed in the last session of parliament, intituled, An act for allowing bounties, for a limited time, on the importation, into Great Britain, of any wheat, wheat flour, Indian corn, Indian meal or rye, in British ships, or other ships the property of persons of any kingdom or state in amity with his Majesty, or on the delivery of the same out of warehouse for home consumption, but which having appeared upon inspection and examination, according to the directions of the said act, not to be fit for making bread, have not received any of the said bounties: and whereas it is expedient that permission should be given for using the same for other purposes notwithstanding any act or acts of parliament now in force to the contrary; be it enacted, That it shall be lawful for the commissioners of excise, or the major part of them, in England and till Feb. 1, Scotland respectively, at any time on or before the first day of February one thousand seven hundred and ninety-seven, to grant licence for using a licence or licences for using any such wheat, wheat flour, or wheat, &c. meal, in making starch, hair powder, or blue, or in distillation imported to of low wines or spirits, upon proof being made to their satisfaction, upon oath or otherwise, that such wheat, wheat flour, 3. c. 21. or meal, had been so imported, and upon inspection and examination was deemed not fit for making bread; and such licence or found unfit for making starch, &c. licences shall be granted subject to such regulations for preventing fraud or abuse thereof as to the said commissioners, or the major or in distillation.

This act may
be altered or
repealed this
session.

part of them respectively, shall seem proper; any thing in any act or acts of parliament to the contrary in anywise notwithstanding.

VIII. And be it further enacted, That this act may be varied, altered, or repealed, by any act or acts to be made in this present session of parliament.

C A P. VIII.

An act to continue for a limited time an act made in the thirty-fifth year of the reign of his present Majesty, for permitting the importation of organized thrown silk, flax, and flax seed, into this kingdom, in ships or vessels belonging to any kingdom or state in amity with his Majesty.—[November 11, 1796.]

C A P. IX.

An act for granting annuities to satisfy certain navy, victualling, transport, and exchequer bills. —[November 12, 1796.]

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects the commons of Great Britain in parliament assembled, having taken into our serious consideration the present state of the debt of your Majesty's navy, and being desirous to make some provision towards satisfaction thereof, and of certain exchequer bills now outstanding, have resolved that all persons interested in or entitled unto certain bills, payable in the course of the navy, victualling, and transport offices, and also all persons interested in or entitled unto certain exchequer bills, should be entitled in respect of the same to such principal sums in annuities, as are herein-after mentioned, subject to the provisions of this act: we your Majesty's most faithful commons do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all persons interested in or entitled unto any bill or bills payable in the course of the navy, victualling or transport offices, which were made out on or before the thirty-first day of December one thousand seven hundred and ninety-five, who shall on or before the eleventh day of November one thousand seven hundred and ninety-six, carry the same to the navy, victualling, or transport offices respectively, in order to have the interest due thereupon computed and marked up to the sixteenth day of December one thousand seven hundred and ninety-six, shall receive certificates from the treasurer of his Majesty's navy, or from his paymaster or cashier, to the governor and company of the bank of England, entitling the holders of such bills in respect of the amount of the principal and interest computed thereupon, at their option, to be mentioned in such certificates, either to the sum of one hundred and seventy-eight pounds eleven shillings and five pence capital stock in annuities, after the rate of three pounds

Navy, victualling, or
transport
bills made
out on or
before Dec. 31st, 1795, carried
to the respec-
tive offices
by Nov. 11,
1796, to have
the interest
marked there-
on to Dec. 16,
1796, to re-
ceive certifi-
cates from the
treasurer of
the navy, to
the bank, en-
titling the

pounds *per centum per annum*, to commence from the fifth day of July one thousand seven hundred and ninety-six, or to the stock in the sum of one hundred and thirty-eight pounds seventeen shillings and nine-pence farthing, capital stock in annuities, after the rate their option; of four pounds *per centum per annum*, to commence from the tenth day of October one thousand seven hundred and ninety-six, or to the sum of one hundred and nineteen pounds and eleven-pence farthing, capital stock in annuities, after the rate of five pounds *per centum per annum*, to commence from the fifth day of July one thousand seven hundred and ninety-six, for each one hundred pounds contained in such certificates, and so in proportion for any greater or lesser sum: and that all persons interested and also such bills made out in or entitled unto any bill or bills payable in the course of the navy, victualling, or transport offices, which were made out after the thirty-first day of December one thousand seven hundred and ninety-five, and on or before the thirtieth day of April one thousand seven hundred and ninety-six, who shall, on or before the said eleventh day of November one thousand seven hundred and ninety-six, carry the same to the navy, victualling, and transport offices respectively, in order to have the interest due thereupon computed and marked up to the sixteenth day of December one thousand seven hundred and ninety-six, shall receive certificates from the treasurer of his Majesty's navy, or his paymaster or cashier, to the governor and company of the bank of England, entitling the holders of such last mentioned bills, in respect of the amount of the principal and interest computed thereupon, at their option to be mentioned in such last-mentioned certificates, either to the sum of one hundred and seventy-six pounds nineteen shillings and nine-pence three farthings, capital stock in annuities, after the rate of three pounds *per centum per annum*, to commence from the fifth day of July one thousand seven hundred and ninety-six, or to the sum of one hundred and thirty-seven pounds eighteen shillings and seven-pence farthing capital stock in annuities, after the rate of four pounds *per centum per annum*, to commence from the tenth day of October one thousand seven hundred and ninety-six, or to the sum of one hundred and eighteen pounds six shillings and ten-pence farthing capital stock in annuities, after the rate of five pounds *per centum per annum*, to commence from the fifth day of July one thousand seven hundred and ninety-six, for each one hundred pounds contained in such last-mentioned certificates, and so in proportion for any greater or lesser sum: and that all persons interested in or entitled unto any bill or bills payable in the course of the navy, victualling, or transport offices, which were made out after the thirtieth day of April one thousand seven hundred and ninety-six, and on or before the thirty-first day of July one thousand seven hundred and ninety-six, who shall, on or before the said eleventh day of November one thousand seven hundred and ninety-six, carry the same to the navy, victualling, and transport offices respectively, in order to have the interest thereupon computed and marked up to the sixteenth day of December one thousand seven hundred and ninety-six,

ninety-six, shall receive certificates from the treasurer of his Majesty's navy, or his paymaster or cashier, to the governor and company of the bank of *England*, entitling the holders of such last-mentioned bills in respect of the amount of the principal and interest computed thereupon, at their option, to be mentioned in such last-mentioned certificates, either to the sum of one hundred and seventy-five pounds eight shillings and nine-pence capital stock in annuities, after the rate of three pounds *per centum per annum*, to commence from the fifth day of *July* one thousand seven hundred and ninety-six, or to the sum of one hundred and thirty-six pounds nineteen shillings and eight-pence halfpenny capital stock in annuities, after the rate of four pounds *per centum per annum*, to commence from the tenth day of *October* one thousand seven hundred and ninety-six, or to the sum of one hundred and seventeen pounds twelve shillings and eleven-pence farthing capital stock in annuities, after the rate of five pounds *per centum per annum*, to commence from the fifth day of *July* one thousand seven hundred and ninety-six, for each one hundred pounds contained in such last-mentioned certificates, and so in proportion for any greater or lesser sum: and that all persons interested in or entitled unto any bill or bills payable in the course of the navy, victualling, or transport offices, which were made out after the thirty-first day of *July* one thousand seven hundred and ninety-six, and on or before the twenty-seventh day of *October* one thousand seven hundred and ninety-six, who shall, on or before the said eleventh day of *November* one thousand seven hundred and ninety-six, carry the same to the navy, victualling, and transport offices respectively, in order to have the interest thereupon computed and marked up to the sixteenth day of *December* one thousand seven hundred and ninety-six, shall receive certificates from the treasurer of his Majesty's navy, or his paymaster or cashier, to the governor and company of the bank of *England*, entitling the holders of such last-mentioned bills in respect of the amount of the principal and interest computed thereupon, at their option to be mentioned in such last-mentioned certificates, either to the sum of one hundred and seventy-three pounds eighteen shillings and three-pence capital stock in annuities, after the rate of three pounds *per centum per annum*, to commence from the fifth day of *July* one thousand seven hundred and ninety-six, or to the sum of one hundred and thirty-six pounds one shilling and one penny capital stock in annuities, after the rate of four pounds *per centum per annum*, to commence from the tenth day of *October* one thousand seven hundred and ninety-six, or to the sum of one hundred and sixteen pounds nineteen shillings and two-pence capital stock in annuities, after the rate of five pounds *per centum per annum*, to commence from the fifth day of *July* one thousand seven hundred and ninety-six, for each one hundred pounds contained in such certificates, and so in proportion for any greater or lesser sum: and that all persons interested in or entitled unto any such bills as aforesaid, shall by delivering the same on or before the said eleventh day of *November* one thousand

and also such
bills made out
after July 31,
and by Oct.
27, 1796.

and seven hundred and ninety-six, into the said offices respectively, be deemed to have accepted of the aforesaid terms, and they severally shall, and are hereby required at the same time to note upon each bill, or upon each list of bills, the option they shall make in pursuance of this act, with respect to the said several annuities; which said several annuities shall be paid and payable at the bank of *England*, at the times and in the manner herein mentioned.

II. And be it further enacted, That every person interested in Exchequer bills made out by virtue of an act passed in the last session of parliament, intituled, *An act for enabling his Majesty to raise the sum of two millions five hundred thousand pounds for the uses and purposes therein mentioned*, who shall, on or before the said eleventh day of November one thousand seven hundred and ninety-six, carry the same to the office of the paymaster of exchequer bills, in order to have the interest thereupon computed up to the sixteenth day of December one thousand seven hundred and ninety-six, and marked upon the said bills, shall have in exchange for the same from such paymaster, certificates to the governor and company of the bank of *England*, entitling the holders of such exchequer bills, in respect of the amount of the principal and interest computed thereupon, at their option, to be mentioned in such last-mentioned certificates, either to the sum of one hundred and seventy-six pounds nineteen shillings and nine-pence three farthings capital stock in annuities, after the rate of three pounds *per centum per annum*, to commence from the fifth day of July one thousand seven hundred and ninety-six, or to the sum of one hundred and thirty-seven pounds eighteen shillings and seven-pence farthing capital stock in annuities, after the rate of four pounds *per centum per annum*, to commence from the tenth day of October one thousand seven hundred and ninety-six, or to the sum of one hundred and eighteen pounds six shillings and ten-pence farthing capital stock in annuities, after the rate of five pounds *per centum per annum*, to commence from the fifth day of July one thousand seven hundred and ninety-six, for each one hundred pounds contained in such last-mentioned certificates, and so in proportion for any greater or lesser sum: and that all persons interested in or entitled unto such exchequer bills as aforesaid shall, by delivering the same, on or before the said eleventh day of November one thousand seven hundred and ninety-six, into the said office of paymaster of exchequer bills, be deemed to have accepted of the aforesaid terms; and they severally shall, and are hereby required, at the same time, to note upon each bill, or upon each list of bills, the option they shall make, in pursuance of this act, with respect to the said several annuities; which said last-mentioned annuities shall be paid and payable at the bank of *England*, at the times and in the manner herein mentioned.

III. And be it further enacted, That if, before the passing of this act, any navy, victualling, or transport bills, or any exchequer bills, shall have been delivered into the said respective offices, If bills have been delivered before passing this act, the the holders to

make their
option by
Nov. 11,
1796.

Holders of
navy, vic-
tualling, or
transport bills,
may deliver
them to be
marked.

Interest to be
marked upon
them before
delivery to the
treasurer of
the navy, with
a note of
options.

Holders of
exchequer
bills may de-
liver them to
be marked.

Interest to be
marked there-
on before
delivery to
the paymaster,
with a note
of options.

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the person or persons interested in or entitled unto the same,
shall, and they are hereby required, on or before the said eleventh
day of November one thousand seven hundred and ninety-six, to
make their option in writing, with respect to the said several an-
nuities in pursuance of this act.

IV. And be it further enacted, That it shall and may be law-
ful to and for any person or persons, natives or foreigners, bodies
politick or corporate, who shall be possessed of, interested in, or
entitled unto, any bill or bills, payable in course, out of his
Majesty's offices of the navy, victualling, or for transports, which
were respectively made out in the said respective offices on or
before the respective times herein-before mentioned, to deliver
such bill or bills to the proper officers of the said offices respec-
tively to be marked, computed, and certified, in such manner
as is herein-after mentioned, at any time on or before the said
eleventh day of November one thousand seven hundred and ninety-
six, and at such place or places as shall have been appointed by
notice given in *The London Gazette*, and other publick papers for
that purpose.

V. Provided always, and be it further enacted, That the
interest which shall become due on the said sixteenth day of
December one thousand seven hundred and ninety-six, for and in
respect of the said navy, victualling, and transport bills, shall be
computed and marked upon the said bills, at the navy, victualling,
and transport offices respectively, before the same are delivered
to the treasurer of his Majesty's navy; and the proper officer and
officers of his Majesty's navy, victualling, and transport offices
respectively, is and are hereby authorised and required to compute
and mark the interest as aforesaid, upon every such bill which
shall be tendered to him or them for that purpose: and to trans-
mit the same to the treasurer of his Majesty's navy, together with
a note of the options made by the respective persons interested in
or entitled unto the same.

VI. And be it further enacted, That it shall and may be law-
ful to and for any person or persons, natives or foreigners, bodies
politick or corporate, who shall be possessed of, interested in, or
entitled unto, any exchequer bill or bills herein-before mentioned,
to deliver such bill or bills to the proper officer in the office of the
paymaster of exchequer bills, to be marked, computed, and cer-
tified, in such manner as is herein-after mentioned, at any time
on or before the said eleventh day of November one thousand seven
hundred and ninety-six; and at such place as shall have been ap-
pointed, by notice given in the *London Gazette* and other publick
papers for that purpose; provided always, That the interest which
became due on the said sixteenth day of December one thousand
seven hundred and ninety-six, for and in respect of the said ex-
chequer bills, shall be computed and marked upon the said bills
by the proper officer or officers at the office of the paymaster of
exchequer bills, before the same are delivered to the paymaster of
exchequer bills; and the proper officers in the said office are
hereby

hereby authorised and required to compute and mark the interest as aforesaid, upon every such bill which shall be tendered to them for that purpose, and to deliver the same to the said treasurer, together with a note of the options made by the respective persons interested in or entitled unto the same.

VII. And be it further enacted, That it shall and may be lawful to and for the proper officers of the navy, victualling, and transport offices respectively, to take in and receive from all and every person or persons, natives or foreigners, bodies politick or corporate, who is, are, or shall be possessed of, interested in, or entitled unto any such navy, victualling, or transport bills, all the said bills which any such person or persons, bodies politick or corporate, shall, on or before the said eleventh day of November one thousand seven hundred and ninety-six, deliver to such officers respectively, and to and for the proper officer or officers at the office of the paymaster of exchequer bills for the time being, to take in, and receive in like manner, all the said exchequer bills which any person or persons, bodies politick or corporate, shall, on or before the said eleventh day of November one thousand seven hundred and ninety-six, deliver to such officer or officers; and the said treasurer of the navy, or his paymaster or cashier, and the said paymaster of exchequer bills, are hereby Bills to be Bills to be
cancelled, and
certificates
made out in
lieu of them.
respectively authorised and required, upon receipt of any such bills, with the interest thereupon marked and computed as aforesaid, to mark and cancel such bills respectively, and make forth and sign the certificates herein directed to be made out in lieu of the said bills respectively, expressing therein the options made in pursuance of this act in respect thereof.

VIII. And be it further enacted, That all and every person and persons, bodies politick and corporate, who shall deliver any such navy, victualling, or transport bill or bills as aforesaid, upon producing such certificates as are hereby directed to be made forth by the said treasurer of the navy or paymaster of exchequer bills, in lieu of such respective bills, shall, for every sum of one hundred pounds contained therein, and so in proportion for any greater or lesser sum, have and be entitled according to the option by him, her, or them, made, at the respective offices as aforesaid, either to an annuity after the rate of three pounds per centum per annum, to commence from the fifth day of July one thousand seven hundred and ninety-six, or to an annuity after the rate of four pounds per centum per annum, to commence from the tenth day of October one thousand seven hundred and ninety-six, or to an annuity after the rate of five pounds per centum per annum, to commence from the said fifth day of July one thousand seven hundred and ninety-six, and to be paid or payable to such person or persons, bodies politick or corporate, or such as he, she, or they shall appoint, his, her, or their executors, administrators, successors, or assigns respectively; which said annuities shall be in lieu of all other interest for or in respect of such bills, and shall be payable half yearly, at the bank of England, at the most usual days of payment in the year for such respective annuities,

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 ties, that is to say, The fifth day of July and the fifth day of January in every year, for and in respect of the said several annuities, after the rate of three pounds *per centum per annum*, and of five pounds *per centum per annum*, and the tenth day of October, and the fifth day of April in every year; for and in respect of the said annuities after the rate of four pounds *per centum per annum*, the first payment on the said several annuities after the rate of three pounds *per centum per annum*, and of five pounds *per centum per annum*, to become due on the fifth day of January one thousand seven hundred and ninety-seven, and on the said annuities after the rate of four pounds *per centum per annum*, to become due on the fifth day of April one thousand seven hundred and ninety-seven; and that all persons and corporations entitled to any such annuity or annuities aforesaid, and his, her, and their administrators, successors, and assigns respectively, and all persons and corporations, lawfully claiming under him, her, or them, shall have good, sure, absolute, and indefeasible estates and interests in the said respective annuities, according to the true tenor and meaning of this act, until the redemption thereof in the manner herein directed, and shall be possessed thereof as of a personal estate, which shall not be descendible to heirs, nor liable to any foreign attachment by the custom of London or otherwise, any law, custom, or usage, to the contrary notwithstanding; and that all the said annuities shall be free from all taxes, charges, and impositions whatsoever.

Annuities to be paid out of the consolidated fund, and the 5l. percents. irredeemable till a certain portion of the 3l. or 4l. per cents. be paid off.

IX. And be it further enacted, That all the said annuities shall be charged and chargeable upon and payable out of the consolidated fund, after paying, or reserving sufficient to pay, all such sums of money as have been directed by any former act or acts of parliament; and that the said several annuities of three pounds *per centum per annum*, and of four pounds *per centum per annum*, shall be subject to redemption by parliament; and that the said annuities after the rate of five pounds *per centum per annum*, shall be irredeemable until twenty-five millions of the publick debt, bearing interest after the rate of either three pounds *per centum per annum*, or four pounds *per centum per annum*, shall have been redeemed and paid off.

Certificates to be given for the amount of bills with interest, to Dec. 26, 1796, which may be assigned before April 29, 1797, and shall be free from stamp duty.

X. And be it further enacted, That, upon the delivering in of such navy, victualling, or transport bills, to the paymaster of the navy, or of such exchequer bills to the paymaster of exchequer bills, by any person or persons, bodies politick or corporate, the treasurer of his Majesty's navy, or his paymaster and cashier, and the said paymaster of exchequer bills, shall, and they are hereby respectively authorised and required forthwith to give certificates, signed by them respectively, (as the case may require), for the principal sum or sums contained in such respective bills, and also for the interest which shall have been computed and marked as aforesaid to be due on the said sixteenth day of December one thousand seven hundred and ninety-six, to such person or persons, bodies politick or corporate, or his, her, or their assigns; and all such certificates shall be assignable by indorsement

1796.] Anno regni tricesimo septimo GEORGII III. c. 9.
endorsement thereupon made at any time before the twenty-ninth day of April one thousand seven hundred and ninety-seven, and no longer; and no such certificate or assignment thereupon shall be charged with any stamp duties whatever; and that the interest so computed and marked on every such bill shall be added to the principal sum contained in every such bill respectively; and the amount of such principal and interest, certified in manner before directed, shall be the principal sums for which the person or persons, bodies politick or corporate, delivering such bills, shall be entitled, at his, her, or their option, to either of such capital stocks as aforesaid, after the respective rates herein-before mentioned, for every one hundred pounds contained in such respective certificates, and so in proportion for any greater or lesser sum, to be attended with the respective annuities after the said rate of three pounds *per centum per annum*, or of four pounds *per centum per annum*, or of five pounds *per centum per annum*, as herein-before mentioned.

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XI. And be it further enacted, That if any infant or infants Guardians shall have become entitled to any of the said bills, in such case may deliver up bills, for the guardian or guardians, trustee or trustees, of such infant or benefit of infants, shall or may, and he, she, or they, is or are hereby fants. empowered, for the benefit of such infant or infants, to deliver up the same to such treasurer of the navy, or to such paymaster of exchequer bills; and such infant or infants, upon such guardian or guardians, trustee or trustees, delivering up such bill or bills, shall be entitled to such certificates as aforesaid, and at the option of such guardian or guardians, trustee or trustees, shall also be entitled to either of the said annuities as aforesaid, as fully as any other person or persons whatever; and the said guardian or guardians, trustee or trustees, shall be discharged from the same, so as the name of such infant or infants be expressed in such certificate or certificates; any thing herein contained, or any law, usage, or custom, to the contrary in anywise notwithstanding.

XII. Provided also, and be it further enacted, That all persons who, as executors, administrators, trustees, committees of idiots or lunatics, or persons of unsound mind, depositaries or mortgagees, shall be or become possessed of, interested in, or entitled unto, any of the said bills, shall and may deliver up such bills as they shall be respectively possessed of, interested in, or entitled unto, in manner before directed, to be cancelled and certified as aforesaid; and as to executors or administrators, the capital stock of annuities which they shall be respectively entitled to in respect of the said bills so by them delivered up, and the dividends from time to time arising therefrom, shall be assets in their hands in the same manner as the said bills were or would have been had they not been so delivered up; and as to trustees, committees, depositaries, and mortgagees, the capital stock of annuities which they shall be respectively entitled unto, for and in respect of such trust or mortgaged bills which they shall deliver up as aforesaid, and the dividends from time to time arising therefrom, shall be subject and liable to the same trusts or equity of redemption.

Executors,
&c. may de-
liver up bills
in their pos-
session, &c.

Anno regni tricesimo septimo GEORGII III. c. 9. [1796.]
tion as such bills were or would have been had they not been so delivered up for such annuity as aforesaid.

Bank to receive certificates, and give credit in a book according to options made of stock;

XIII. And be it further enacted, That it shall and may be lawful to and for the said governor and company of the bank of England, and their successors, or such person or persons as they shall appoint for that purpose, and he and they is and are hereby respectively authorised and required to take in and receive all and every of the certificates to be made out in lieu of the said bills as aforesaid in pursuance of the directions of this act; and upon the receipt of every such certificate shall, and he and they is and are hereby required, in respect of every sum of one hundred pounds contained in such certificates so brought to him or them as aforesaid, and so in proportion for any greater or lesser sum, forthwith to give credit in a book or books to be prepared for that purpose, for such of the respective principal sums hereinbefore mentioned, in either of the said annuities of three pounds *per centum per annum*, or of four pounds *per centum per annum*, or of five pounds *per centum per annum*, as the person or persons bringing such certificates shall have elected; and the persons, bodies politick or corporate, to whose credit such respective principal sums shall be entered in the said book or books, his, her, or their executors, administrators, or assigns, shall and may have power to assign and transfer the same, or any part, share, or proportion thereof, to any other person or persons, bodies politick or corporate whatsoever, in other books to be prepared and kept for that purpose; and the said governor and company for the time being shall also, on or before the fifth day of January one thousand seven hundred and ninety-eight, transmit an attested duplicate, fairly written on paper, of the said book or books first herein-before mentioned, into the office of the auditor of the receipt of his Majesty's exchequer, there to remain for ever.

and by Jan.
5, 1798, to
transmit a
duplicate to
the auditor
of the exche-
quer.

**Bank to ap-
point a cashier,
and accompt-
ant general.**

**Money to be
issued at the
exchequer,
for payment
of annuities:**

XIV. And for the more easy and sure payment of the annuities established by this act, it is hereby further enacted, That the said governor and company of the bank of England, and their successors, shall from time to time appoint and employ one or more sufficient person or persons within their office in the city of London, to be their chief or first cashier or cashiers, and one other person or persons, within the same office, to be their accountant general; and that so much of the monies from time to time being in the receipt of the exchequer of the said consolidated fund, by this act made applicable for that purpose, as shall be sufficient to answer the said annuities, shall, by the order of the commissioners of the treasury, or any three or more of them, or the high treasurer for the time being, without any further or other warrant to be sued for, had, or obtained, in that behalf, from time to time, at the respective days of payment in this act appointed, be issued and paid at the said receipt of the exchequer to the first or chief cashier or cashiers of the said governor and company of the bank of England, and their successors, for the time being, by way of imprest, and upon account for the payment

ment of the said annuities; and that such cashier or cashiers, to whom the said monies shall from time to time be issued, shall from time to time, without delay, apply and pay the same accordingly, and render his or their accounts thereof according to the due course of the exchequer.

XV. And it is hereby also enacted, That the said accountant general for the time being, shall from time to time inspect and examine all receipts and payments of the said cashier or cashiers cashiers, and the vouchers relating thereto, in order to prevent any fraud, negligence, or delay.

XVI. And be it further enacted, That all the monies converted into annuities after the rate of three pounds *per centum per annum* by virtue of this act, or intended so to be, shall be deemed, added to the reputed, and taken, to be one capital or joint stock, and shall be added to and made part of the joint stock of annuities transferable at the bank of *England*, into which the several sums carrying an interest after the rate of three pounds *per centum per annum*, were by several acts made in the twenty-fifth, twenty-eighth, twenty-ninth, thirty-second, and thirty third, years of the reign of his late majesty King *George* the Second, and by several subsequent acts consolidated, and shall be deemed part of the said joint stock of annuities, subject nevertheless to the redemption by parliament, in such manner and upon such notice, as in the said act made in the twenty-fifth year of his said late Majesty's reign is directed, in respect of the several and respective annuities redeemable by virtue of the said act; and that all and every person and persons and corporations whatsoever in proportion to the money to which he, she, or they, shall become entitled as aforesaid by virtue of this act, shall have and be deemed to have a proportional interest and share in the said joint stock of annuities at the rates aforesaid.

XVII. And be it further enacted, That all the monies converted into annuities after the rate of four pounds *per centum per annum* by virtue of this act, or intended so to be, shall be deemed, added to and made part of the joint stock of annuities transferable at the bank of *England*, into which the several sums carrying an interest after the rate of four pounds *per centum per annum*, were by two acts made in the twentieth and twenty-first years of the reign of his present Majesty, and by several subsequent acts converted, and shall be deemed part of the said joint stock of annuities, subject nevertheless to redemption by parliament, in such manner and upon such notice as in the said acts are directed in respect of the annuities redeemable by virtue of the said acts, and that all and every person and persons and corporations whatsoever in proportion to the money to which he, she, or they, shall become entitled as aforesaid by virtue of this act, shall have and be deemed to have a proportional interest and share in the said joint stock of annuities at the rate aforesaid.

XVIII. And be it further enacted, That all the monies converted into annuities after the rate of five pounds *per centum per annum* shall be added to the 5l. per cent.

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 annum by virtue of this act, or intended so to be, shall be deemed, reputed, and taken to be one capital or joint stock, and shall be added to and made part of the joint stock of annuities with, and shall be redeemable at the same time and in like manner as the annuities carrying an interest after the rate of five pounds *per centum per annum*, established by the acts of the twenty-fourth, twenty-fifth, thirty-fourth, thirty-fifth, and thirty-sixth years of the reign of his present Majesty, for granting annuities to satisfy certain navy, victualling, and transport bills, and ordinance debentures: and that all and every person or persons and corporations whatsoever, in proportion to the money to which he, she, or they, shall become entitled as aforesaid by virtue of this act, shall have or be deemed to have a proportional interest and share in the said stock of annuities, at the rate aforesaid.

Transfers of stocks may be made, and a book to be kept for entering them.

XIX. And be it further enacted, That the said respective capitals or joint stocks or any share or interest in either of them, and the proportional annuities attending the same, shall be assignable and transferrable as this act directs, and not otherwise; and that there shall constantly be kept, in the office of the said accountant general for the time being within the city of *London*, a book or books wherein all assignments or transfers of the said respective capitals or joint stocks, or any part thereof, and the proportional annuities attending the same, at the rate aforesaid, shall be entered and registered, which entries shall be conceived in proper words for that purpose, and shall be signed by the parties making such assignments or transfers, or if any such party or parties be absent, by his, her, or their attorney or attorneys, thereunto lawful authorized by writing under his, her, or their hands and seals, to be attested by two or more credible witnesses; and that the person or persons to whom any such transfer shall be made, shall respectively underwrite his, her, or their acceptance thereof, and that no other method of assigning or transferring the said respective capitals or joint stocks, and the annuities attending the same, or any part thereof, or any interest therein, shall be good and available in law, and that no stamp duties whatsoever shall be charged on the said transfers or any of them.

No stamp duties to be charged thereon.

Annuities may be devised.

Penalty for forging certificates, &c.

XX. Provided always, That all persons possessed of any share or interest in any of the said several joint stocks of annuities, or any estate or interest therein, may devise the same by will in writing, attested by two or more credible witnesses, but that no payment shall be made upon any such devise until so much of the said will as relates to such estate, share, or interest, be entered in the respective offices; and that in default of such transfer or devise as aforesaid, such share, estate, or interest, shall go to the executors, administrators, successors, and assigns.

XXI. And be it further enacted, That if any person or persons shall forge or counterfeit, or cause or procure to be forged or counterfeited, or shall willingly act or assist in the forging or counterfeiting any certificate or certificates directed to be made out by this act, or any assignment thereof, or indorsement thereon, or

or shall alter any number, figure, or word, in any such certificate, or in any assignment thereof, or indorsement thereon; or utter or publish as true any such false, forged, counterfeited, or altered certificate or certificates, or assignment or assignments thereof, or indorsement or endorsements thereon, with intent to defraud his Majesty, or the governor and company of the bank of *England*, or any body politic or corporate, or any person or persons whatsoever, every such person or persons so forging or counterfeiting, or causing or procuring to be forged or counterfeited, or willingly acting or assisting in the forging or counterfeiting or altering, uttering, or publishing as aforesaid, being thereof convicted in due form of law, shall be adjudged guilty or felony, and shall suffer death as a felon, without benefit of clergy.

XXII. Provided also, and it is hereby further enacted, That the said governor and company of the bank of *England*, and their successors, notwithstanding the redemption of all or any of their own funds in pursuance of the acts for establishing the same, or any of them, shall continue a corporation for the purposes of this act, until all the said annuities shall be redeemed as aforesaid; and the said governor and company, or any member thereof, shall not incur any disability for or by reason of his or their doing any matter or thing in pursuance of this act.

XXIII. And it is hereby enacted, That no fee, reward, or gratuity whatsoever, shall be demanded or taken for computing and marking the interest on the said bills, or for receiving, taking in, or cancelling the said bills, or any of them, or for granting certificates in lieu thereof, as aforesaid, or for issuing the monies for paying the said annuities, or any of them, or for any transfer of any sum, great or small, to be made in pursuance of this act, upon pain that any officer or person offending, by taking or demanding any fee or gratuity contrary to this act, shall for every offence forfeit the sum of twenty pounds to the party grieved, to be recovered, with full costs of suit, by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, wherein no escoin, protection, privilege, or wager of law, injunction, or order of restraint, or any more than one imparlance, shall be granted or allowed.

XXIV. Provided always, and be it further enacted, That the Treasury may commissioners of the treasury, or any three or more of them, now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall have power, this act, and they are hereby authorised, out of the said consolidated fund, to reward all such persons as shall be anyways employed in the execution of this act, for their service, pains, and labour; and also to defray such incident charges as shall necessarily attend the same; and also to settle and appoint such allowances as they shall think proper for the service, pains, and labour, of the cashier or cashiers of the said governor and company of the bank of *England*, for receiving, paying, and accounting for the said annuities made payable by this act; and also for the service, pains, and trouble,

of the said accountant general of the said governor and company, for performing the duty and trust incumbent on or reposed in him by this act; all which allowances, to be made as aforesaid in respect of the service, pains, and labour, of any officer or officers of the said governor and company of the bank of England, shall be for the use and benefit of the said governor and company, and at their disposal only; any thing herein contained to the contrary notwithstanding.

XXV. And be it further enacted, That if any person or persons shall at any time or times be sued, molested, or prosecuted, for any thing by him or them done or executed in pursuance of this act, or of any matter or thing therein contained, such person or persons shall and may plead the general issue, and give the special matter in evidence for his or their defence; and if a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall discontinue his or their action, or be nonsuited, or judgement shall be given against him or them upon demurrer or otherwise, then such defendant or defendants shall have treble costs to him or them awarded against such plaintiff or plaintiffs.

General issue.

Treble costs.

C A P. X.

An act for raising the sum of eighteen millions by way of annuities — [December 23, 1796.]

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, being desirous to raise the necessary supplies which we have chearfully granted to your Majesty in this session of parliament, have resolved that the sum of eighteen millions be raised by annuities, in manner herein-after mentioned; and do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That every contributor towards raising the said sum of eighteen millions shall, for every one hundred pounds contributed and paid, be entitled to the principal sum of one hundred and twelve pounds and ten shillings, in annuities, after the rate of five pounds *per centum per annum*, to commence from the tenth day of October one thousand seven hundred and ninety-six, and to be irredeemable, unless with the consent of the proprietors thereof, during the period herein limited, and subject to be converted into the joint stock of three pounds *per centum* consolidated annuities, according to the provisions in this act contained.

Every contributor of 100l. entitled to a principal of 121. 10s. in the 5 per cents. from Oct. 10, 1797.

Contributors to pay their subscriptions by instalments.

II. And whereas several persons have, in books opened at the bank of England, for that purpose subscribed together the whole of the said sum of eighteen millions to be raised by annuities; be it therefore enacted, That it shall and may be lawful to and for the several persons who have made such subscriptions, and he, she, and they, is

is and are hereby respectively required, on or before the thirteenth day of *January* one thousand seven hundred and ninety-seven, to advance and pay to the cashier or cashiers of the governor and company of the bank of *England*, (which cashier or cashiers is and are hereby appointed the receiver and receivers of such subscriptions, without any other warrant to be had in that behalf), ten pounds *per centum* on such sum as he, she, or they shall have subscribed towards raising the said sum of eighteen millions; and also to advance and pay unto the said cashier or cashiers of the governor and company of the bank of *England*, the several remainders of the sums by them respectively subscribed towards the said sum of eighteen millions, at or before the respective days and times, and in the proportions herein-after limited and appointed in that behalf; (that is to say), The further sum of ten pounds *per centum*, on or before the seventeenth day of *March* one thousand seven hundred and ninety-seven; the further sum of ten pounds *per centum*, on or before the twenty-first day of *April* then next following; the further sum of ten pounds *per centum*, on or before the second day of *June* then next following; the further sum of fifteen pounds *per centum*, on or before the twenty-first day of *July* then next following; the further sum of fifteen pounds *per centum*, on or before the twenty-fifth day of *August* then next following; the further sum of fifteen pounds *per centum*, on or before the twenty-eighth day of *September* then next following; and the remaining sum of fifteen pounds *per centum*, on or before the thirty-first day of *October* then next following.

III. And be it further enacted, That it shall and may be law-
ful for any guardian or trustee, having the disposition of the
money of any infant, to contribute and pay for or towards ad-
vancing the said sum of eighteen millions, to be raised by annuities
in manner aforesaid; and such infant, upon the payment of such
sums or sums subscribed by such guardian or trustee, shall be-
come a contributor within the meaning of this act, and be
entitled to have and receive the annuities, advantages, and pay-
ments, in respect thereof, in such and the like manner as any other
contributor; and the said guardian and trustee, as to the said
sums or sums so advanced, is hereby discharged, so as the name
of such infant be expressed in the receipt or receipts for such
money.

IV. And be it further enacted, That every contributor paying
in the whole of the sums by them respectively subscribed, or any part
thereof, in respect of the said sum of eighteen millions, at any time
before the thirteenth day of *January* one thousand seven hundred and
ninety-seven, shall be entitled to an allowance of so much money
as the interest of each sum so paid in advance shall amount unto,
after the rate of five pounds *per centum per annum* from the day of
paying the same to the said thirteenth day of *January* one thou-
sand seven hundred and ninety-seven; and that every contributor
paying in the sum of twenty pounds, and no more, for every
one hundred pounds by him, her, or them respectively subscribed,
between the thirteenth day of *January* and the seventeenth day

of
Guardians
may subscribe
for infants.

of *March* one thousand seven hundred and ninety-seven, shall be entitled to an allowance in respect of one half of the sum so paid in advance, as the interest thereon shall amount unto, after the rate of five pounds *per centum per annum* from the day of paying the same to the said seventeenth day of *March* one thousand seven hundred and ninety-seven; and that every contributor paying in the whole of the sums by them respectively subscribed, in respect of the said sum of eighteen millions to be contributed as aforesaid, at any time between the seventeenth day of *March* and the twenty-eighth day of *September* one thousand seven hundred and ninety-seven, shall be entitled to an allowance of so much money as the interest of each sum so paid in advance for completing his, her, or their contribution respectively shall amount unto, after the rate of three pounds *per centum per annum*, from the day of completing the same to the thirty-first day of *October* one thousand seven hundred and ninety-seven; which allowances are to be paid by the said cashier or cashiers out of the money to be contributed in pursuance of this act, as soon as such respective contributors, their executors, administrators, successors, and assigns, shall have completed such respective payments.

Annuities to
be paid half-
yearly, but
not till sub-
scriptions are
completed.

V. And be it further enacted, That the several subscribers or contributors, their executors, administrators, successors, and assigns, in respect of the said sum of eighteen millions, shall be entitled to an annuity, after the rate of five pounds *per centum*, in respect of the said principal sum of one hundred and twelve pounds and ten shillings for every one hundred pounds by him, her, or them respectively advanced, to commence from the tenth day of *October* one thousand seven hundred and ninety-six, until redemption in manner herein-after mentioned, which shall be payable and paid half-yearly, by even and equal portions; (that is to say); On the fifth day of *April* and the tenth day of *October* in every year, but shall not be payable until the respective subscribers or contributors, their executors, administrators, successors, or assigns, shall have completed the whole of the sums by them subscribed for the purchase of the said annuities.

Contributors
paying the
whole of their
subscriptions
as herein spe-
cified, entitled
to annuities
at certain
periods.

VI. Provided always, and be it further enacted, That all and every such contributor or contributors, his, her, or their executors, administrators, and assigns, who shall have paid into the hands of the said cashier or cashiers the whole of his, her, or their contribution money, on or before the second day of *April* one thousand seven hundred and ninety-seven, shall be entitled to have and receive, on the fifth day of *April* one thousand seven hundred and ninety-seven, at the bank of *England*, the half-year's annuity, after the rate of five pounds *per centum*, that shall become due on the said fifth day of *April* one thousand seven hundred and ninety-seven; and that all and every person or persons who shall have completed the whole of his, her, or their said payment or payments on or before the seventh day of *October* one thousand seven hundred and ninety-seven, shall be entitled on the day next ensuing on which any dividend shall become due by virtue of this act, to receive the half-year's annuity, after the rate of

of five pounds *per centum*, which by virtue of this act shall become due on such day respectively, or shall have become due at any day preceding, and shall not have been paid by virtue of this act; and that all and every person or persons who shall not have completed the whole of their said payments on or before the said seventh day of *October* one thousand seven hundred and ninety-seven, shall, on completing the same within the time in this act prescribed, be then entitled to receive the whole of one year's annuity by this act granted, or to be granted, from the tenth day of *October* one thousand seven hundred and ninety-six, according to the true intent and meaning of this act.

VII. And be it further enacted, That the said annuities shall be payable and paid at the bank of *England*, and shall be chargeable upon, and the same are hereby charged upon, and made payable, as they shall respectively arise and grow due, out of the consolidated fund, and shall be irredeemable until the expiration of three years from the period at which the joint stock of annuities, carrying an interest after the rate of five pounds *per centum per annum*, established by certain acts of the twenty-fourth, twenty-fifth, thirty-fourth, thirty-fifth, and thirty-sixth years of the reign of his present Majesty, for granting annuities to satisfy certain navy, victualling, and transport bills, and ordnance debentures, shall actually be redeemed or paid off, or until the interest or dividends now payable thereon shall have been redeemed, unless with the consent of the proprietors of the annuities granted by virtue of this act, the same shall be paid off, or converted into other annuities in pursuance of the provisions herein-after contained.

VIII. And be it further enacted, That the several principal sums in annuities, after the rate of five pounds *per centum per annum*, shall be paid off, redeemed, and fully discharged, by parliament at the expiration of three years from the period at which the said joint stock of annuities, after the rate of five pounds *per centum per annum*, shall actually have been redeemed, or paid off, or the interest or dividends thereon shall have been redeemed, in pursuance of the said act of the twenty-fifth year of his present Majesty's reign.

IX. Provided always, and be it further enacted, That after two years from the end of the present war, and ratification of the definitive treaty of peace thereupon, at any period of six months ending on the fifth day of *April*, or the tenth day of *October*, in any year, it shall and may be lawful for any contributor, his, her, or their executors, administrators, successors, or assigns, to make application to the governor and company of the bank of *England*, to have the said annuities, after the rate of five pounds *per centum*, hereby granted, redeemed or paid off, or converted into other annuities, as herein-after is mentioned, at his, her, or their election; and that after six months previous notice of such his, her, or their intention, the said annuities shall be redeemed and paid off, or converted into such annuities accordingly.

When re-deemable, subscribers may apply to have their annuities paid off in money or converted into £l. per cent. annuities, at the rate of £35l. 6s. 8d. per cent.

X. And be it further enacted, That whenever the said annuities, after the rate of five pounds *per centum*, hereby granted, shall become redeemable, either by the redemption of the said joint stock of annuities, at the rate of five pounds *per centum*, in manner before mentioned, or by notice from the respective contributors as aforesaid, it shall and may be lawful for the respective contributors, his, her, or their executors, administrators, successors, or assigns, to elect to have the same paid off in ready money, in which case the principal sums in such annuities, at the rate of one hundred and twelve pounds and ten shillings for every one hundred pounds by them respectively subscribed towards raising the said sum of eighteen millions, shall be paid off in money, with all dividends then due thereon; or at his, her, or their election, to have the principal sums in such annuities converted into other annuities, after the rate of three pounds *per centum per annum*, in which case every contributor, his, her, or their executors, administrators, successors, or assigns, shall, for every one hundred pounds of the principal sums in annuities, after the rate of five pounds *per centum* as aforesaid, be entitled to the principal sum of one hundred and thirty-three pounds six shillings and eight-pence in consolidated annuities, after the rate of three pounds *per centum per annum*, according to the provisions in this act contained.

Bank to appoint a cashier and accountant general, and the treasury to order money to be issued to the cashier for payment of the annuities.

XI. And, for the more easy and sure payment of all the several annuities established by this act, be it further enacted, That the said governor and company of the bank of *England*, and their successors, shall from time to time, until all the said annuities shall be redeemed, appoint and employ one or more sufficient person or persons, within their office in the city of *London*, to be their chief or first cashier or cashiers, and one other sufficient person, within the same office, to be their accountant general; and that so much of the monies by this act appropriated for the purpose, as shall be sufficient from time to time to answer the said several and respective annuities, and other payments, herein directed to be made out of the said monies, shall, by order of the commissioners of the treasury, or any three or more of them, or the high treasurer for the time being, without any further warrant to be sued for, had, or obtained in that behalf, from time to time, at the respective days of payment in this act appointed for payment thereof, and when and as the same shall arise, be issued and paid at the receipt of the exchequer to the said first or chief cashier or cashiers of the said governor and company of the bank of *England*, and their successors, for the time being, by way of imprest and upon account, for the payment of the said several and respective annuities payable by virtue of this act; and that such cashier or cashiers, to whom the said money shall from time to time be issued, shall from time to time, without delay, pay the same accordingly, and render his or their accounts thereof, according to the due course of the exchequer; and that the said accountant general for the time being shall from time to time inspect and examine all receipts and payments of the said cashier.

cashier or cashiers, and the vouchers relating thereto, in order to prevent any fraud, negligence, or delay.

XII. And be it further enacted, That the cashier or cashiers of the governor and company of the bank of *England*, who shall have received, or shall receive, such part of the said contributions towards the said sum of eighteen millions, as is herein before required to be advanced and paid on or before the said seventeenth day of *March* one thousand seven hundred and ninety-seven, shall, on the said seventeenth day of *March* one thousand seven hundred and ninety-seven, give a receipt or receipts in writing to every such contributor for all such sums; and shall also give a receipt or receipts to every such contributor who shall at any time have paid, or shall pay, the sum of twenty pounds *per centum* on the sum by him subscribed; and that the respective receipts to be given shall be assignable, by indorsement thereupon made, at any time after the said seventeenth day of *March* one thousand seven hundred and ninety-seven, and before the twenty-seventh day of *September* one thousand seven hundred and ninety-seven, and no longer: provided always, That such cashier or cashiers shall give security to the good liking of any three or more of the commissioners of the treasury, or the high treasurer for the time being, for duly answering and paying into the receipt of his Majesty's exchequer, for the publick use, all the monies which they have already received, and shall hereafter receive, from time to time, of and for the said sum of eighteen millions, and for accounting duly for the same, and for performance of the trust hereby in them reposed, and shall from time to time pay all such monies as soon as he or they shall receive the same, or any part thereof, or within five days afterwards at the farthest, into and shall account for the same in the exchequer, according to the due course thereof, deducting thereout such sums as shall have been paid by him or them in pursuance of this act, for which sums so paid allowance shall be made in his or their accounts.

XIII. And be it further enacted, That in the office of the accountant general of the governor and company of the bank of *England* for the time being, a book or books shall be provided and kept, in which the names of the contributors shall be fairly entered; which book or books the said respective contributors, their respective executors, administrators, successors, and assigns, shall and may from time to time, and at all seasonable times, resort to and inspect without any fee or charge; and that the said accountant general shall, on or before the fifth day of *July* one thousand seven hundred and ninety-eight, transmit an attested duplicate, fairly written on paper, of the said book or books into the office of the auditor of the receipt of his Majesty's exchequer, there to remain for ever.

XIV. And be it further enacted, That such contributors, duly paying the whole sum so subscribed at or before the respective times in this act limited in that behalf, and their respective executors, administrators, successors, and assigns, shall have, receive,

Cashier to give receipts for subscriptions, which may be assigned with in certain periods.

Cashier to give security, and to pay the money he receives into the exchequer.

A book to be kept in the accountant general's office, for entering contributors names, a duplicate whereof to be transmitted to the auditor of the exchequer.

Contributors duly paying their subsciptions, entitled to annuities tax-free.

receive, and enjoy, and be entitled by virtue of this act to have, receive, and enjoy, the said annuities, after the rate of five pounds *per centum*, by this act granted in respect of the sum so subscribed, until redemption thereof; and also at his, her, or their option shall be entitled to convert the same for such proportionate annuity as aforesaid, after the rate of three pounds *per centum*, and from thenceforth shall have, receive, and enjoy, the said annuity, after the rate of three pounds *per centum*, until redemption by parliament, out of the monies granted and appropriated in this session of parliament for payment thereof, and shall have good and sure interests and estates therein, according to the several provisions in this act contained, as well in respect of the said annuities, after the rate of five pounds *per centum per annum*, hereby granted, as of the said other annuities after the rate of three pounds *per centum per annum*, when and as the same shall arise, payable and transferrable at the bank of *England*; and that the said several annuities shall be free from all taxes, charges, and impositions whatsoever.

Subscriptions paid in part, and not completed, forfeited.

XV. And be it further enacted, That in case any such contributors who shall pay to the said cashier or cashiers any sum or sums of money at the times, and in the manner herein-before mentioned, in part of the sum or sums so by them respectively subscribed, or their respective executors, administrators, successors, or assigns, shall not advance and pay to the said cashier or cashiers the residue of the sum or sums so subscribed at the times, and in the manner before mentioned, then and in every such case, so much of the respective sum or sums so subscribed as shall have been actually paid in part thereof to the said cashier or cashiers, shall be forfeited for the benefit of the publick; and all right and title to the said annuities, after the rate of five pounds *per centum per annum*, in respect thereof, and also all power of redeeming the same shall be extinguished; any thing in this act contained to the contrary thereof in any wise notwithstanding.

As soon as subscriptions are completed, they may be transferred.

XVI. And be it further enacted, That as soon as any contributors, their executors, administrators, successors, or assigns, shall have completed their payments of the whole sum payable by them respectively towards the said sum of eighteen millions, the principal sum or sums to which they shall be entitled respectively, shall forthwith be in the books of the bank of *England*, placed to the credit of such respective contributors, their executors, administrators, successors, and assigns, completing such payments respectively, and the persons to whose credit such principal sums shall be so respectively placed, their respective executors, administrators, successors, and assigns, shall and may have power to assign and transfer the same, or any part, share, or proportion thereof, to any other person or persons, body or bodies politic or corporate whatsoever, in the books of the bank of *England*; and such sums shall carry an annuity, after the rate of five pounds *per centum per annum*, redeemable in manner herein mentioned, and shall be taken and deemed to be stock transferrable according to the true intent and meaning of this act, until redemption

of the said annuities, after the rate of five pounds *per centum per annum*, in such manner as is herein mentioned.

XVII. And be it further enacted, That all persons who shall be entitled to any of the annuities hereby granted in respect of personal estate, shall be possessed thereof as of a personal estate, which shall not be descendible to heirs, nor liable to any foreign attachment by the custom of London, or otherwise; any law, statute, or custom, to the contrary notwithstanding.

XVIII. And be it further enacted, That it shall and may be lawful for three or more of the commissioners of the treasury, or the high treasurer for the time being, to issue and apply from time to time all such sums of money as shall be so paid into the receipt of his Majesty's exchequer by the said cashier or cashiers, to such services as shall then have been voted by the commons of Great Britain in this present session of parliament.

XIX. And be it further enacted, That books shall be constantly kept by the said accountant general for the time being, wherein assignments or transfers of all annuities in respect of the sums advanced or contributed towards the said sum of eighteen millions, shall be entered and registered; which entry shall be conceived in proper words for that purpose, and shall be signed by the parties making such assignments or transfers, or if such parties be absent, by their respective attorney or attorneys thereunto lawfully authorised, in writing under his or their hand and seal, or hands and seals, to be attested by two or more credible witnesses; and that the several persons to whom such transfers shall be made, shall respectively underwrite their acceptance thereof, and that no other method of assigning and transferring the said annuities, or any part thereof, or any interest therein, shall be good or available in law: provided always, That all Stock may be persons possessed of any share or interest in either of the said stocks of annuities, or any estate or interest therein, may devise the same by will, in writing, attested by two or more credible witnesses; but that no payment shall be made upon any such devise, until so much of the said will as relates to such share, estate, or interest, in the said respective annuities be entered in the said office; and that in default of such transfer or devise, such share, estate, or interest, in the said stocks of annuities, shall go to the executors, administrators, successors, and assigns; Transfers not and that no stamp duties whatsoever shall be charged on any of the said transfers; any law or statute to the contrary notwithstanding.

XX. Provided always, and be it further enacted, That out of the monies arising from the contributions towards raising the said sum of eighteen millions by annuities, any three or more of the commissioners of the treasury, or the high treasurer for the time being, shall have power to discharge all such incident charges as shall necessarily attend the execution of this act, in such manner as to them shall seem just and reasonable; and also to settle and appoint such allowances as shall be thought proper for the defray incidental expenses out of the contributions of the commissioners of the treasury, or the high treasurer for the time being, to the cashier and account general.

for the service, pains, and labour, of the said cashier or cashiers, for receiving, paying, and accounting for the said contributions; and also shall have power to make, out of the consolidated fund, such further allowances as shall be judged reasonable for the service, pains, and labour of the said cashier or cashiers, for receiving, paying, and accounting for the said annuities payable by virtue of this act; and also for the service, pains, and labour of the said accountant general, for performing the trust reposed in him by this act; all which allowances to be made as aforesaid, in respect of the service, pains, and labour, of any officer or officers of the said governor and company, shall be for the use and benefit of the said governor and company, and at their disposal only.

Contributors
converting
their 5*l.* per
cent. annui-
ties into 3*l.*
per cents. to
have their
principals
placed to their
credits at the
bank, and to
be added to
the joint stock
of 3*l.* per
cents.

XXI. And be it further enacted, That as soon as any contributor, his, her, or their respective executors, administrators, successors, or assigns, shall have converted any of the said annuities after the rate of five pounds *per centum*, into consolidated annuities after the rate of three pounds *per centum*, the principal sum or sums to which they shall be entitled respectively in the said consolidated annuities, shall forthwith be in other books of the bank of *England*, placed to the credit of such respective contributors, their executors, administrators, successors, and assigns; and the said annuities, after the rate of three pounds *per centum*, shall be added to the joint stock of annuities transferrable at the bank of *England*, into which the several sums carrying an interest after the rate of three pounds *per centum per annum*, were by several acts, made in the twenty-fifth, twenty-eighth, twenty-ninth, thirty-second, and thirty-third years of the reign of his late majesty King *George* the Second, and by several subsequent acts consolidated, and shall be deemed part of the said joint stock of annuities, and shall be payable half-yearly, in equal portions, at such days and times as the said joint stock of annuities are by law payable, subject nevertheless to redemption by parliament, in such manner, and upon such notice, as in the said act, made in the twenty-fifth year of his said late Majesty's reign, is directed, in respect of the several and respective annuities redeemable by virtue of the said act; and that all and every person and persons, and corporations whatsoever, in proportion to the money to which he, she, or they, shall become entitled as aforesaid, by virtue of this act, shall have, and be deemed to have, a proportional interest and share in the said joint stock of annuities, at the rates aforesaid.

Persons coun-
terfeiting re-
ceipts for con-
tributions,
&c. guilty of
felony.

XXII. And be it further enacted, That if any person or persons shall forge or counterfeit, or cause or procure to be forged or counterfeited, or shall willingly act or assist in the forging or counterfeiting any receipt or receipts for the whole of, or any part or parts of the said contributions towards the said sum of eighteen millions, either with or without the name or names of any person or persons being inserted therein, as the contributor or contributors thereto, or payer or payers thereof, or of any part or parts thereof, or shall alter any number, figure, or word therein, or utter or publish, as true, any such false, forged, counterfeited, or altered receipt

receipt or receipts, with intent to defraud the governor and company of the bank of *England*, or any body politick or corporate, or any person or persons whatsoever, every such person or persons so forging or counterfeiting, or causing or procuring to be forged or counterfeited, or willingly acting or assisting in the forging or counterfeiting, or altering, uttering, or publishing as aforesaid, being thereof convicted in due form of law, shall be adjudged guilty of felony, and shall suffer death as a felon, without benefit of clergy.

XXIII. Provided always, and be it further enacted, That Bank to continue the said governor and company of the bank of *England*, and their successors, notwithstanding the redemption of all or any of their funds, in pursuance of the acts for establishing the same, or hereby granted any of them, shall continue a corporation for the purposes of this act, until all the annuities by this act granted shall be redeemed by parliament as aforesaid; and that the said governor and company of the bank of *England*, or any member thereof, shall not incur any disability for or by reason of their doing any matter or thing in pursuance of this act.

XXIV. And be it further enacted, That no fee, reward, or gratuity whatsoever, shall be demanded or taken of any of his Majesty's subjects, for receiving or paying the said subscription or contribution monies, or any of them, or for any receipt concerning the same, or for paying the said annuities, or any of them, or for any transfer of any sum, great or small, to be made in pursuance of this act, upon pain that any officer or person offending, by taking or demanding any such fee, reward, or gratuity, shall for every such offence, forfeit the sum of twenty pounds to the party aggrieved, with full costs of suit, to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, wherein no escoin, protection, privilege, or wager of law, injunction or order of restraint, or any more than one imparlance shall be granted or allowed.

XXV. And be it further enacted, That if any person or persons sued shall be sued, molested, or prosecuted, for any thing done by virtue or in pursuance of this act, such person or persons shall and may plead the general issue, and give this act and the special matter in evidence, in his, her, or their defence or defences, and if afterwards a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall discontinue his, her or their action or prosecution, or be nonsuited, or judgement shall be given against him, her, or them, upon demurrer or otherwise, then such defendant or defendants shall have treble costs awarded to him, Treble costs, or them, against any such plaintiff or plaintiffs.

XXVI. And be it further enacted, That in case the commissioners of his Majesty's treasury, or any three or more of them, now or for the time being, or the high treasurer for the time being, shall judge it adviseable to raise any sum not exceeding the sum of five millions, at any time previous to the thirty-first day of October one thousand seven hundred and ninety-seven, on the credit of the aid and supply by this act granted, it shall be Previous to Oct. 31, 1797, made out and

on the credit
of this act,
according to
the malt act
of this session.

and may be lawful for the said commissioners and the lord high treasurer respectively, at any time or times before the said thirty-first day of October, to prepare or make, or cause to be prepared or made at the exchequer, any number of new exchequer bills, not exceeding in exchequer bills current at the same time, the sum of five millions, in the same or like manner, form and order, and according to the same or like rules and directions (except where other directions for making out the same are contained and particularly expressed in this act) as in and by an act of this present session of parliament, intituled, *An act for continuing and granting to his Majesty certain duties upon, malt, rum, cyder, and perry, for the service of the year one thousand seven hundred and ninety-seven,* are enacted and prescribed concerning the exchequer bills to be made in pursuance of the said act.

Provisions of
malt act re-
lating to ex-
chequer bills
to extend to
those made
under this
act.

XXVII. And be it further enacted, That all and every the clauses, provisoies, powers, privileges, advantages, penalties, forfeitures, and disabilities contained in the said last mentioned act relating to the exchequer bills authoirised to be made by the said act, (except as herein mentioned), sha'l be applied and extended to the exchequer bills to be made in pursuance of this act, as fully and effectually, to all intents and purposes, as if the same exchequer bills had been originally authorised by the said last mentioned act, or as if the said several provisoies and clauses had been particularly repeated and re-enacted in the body of this act.

Bills under
this act to
bear a certain
interest, and
to be receiv-
able for taxes,
or instalments
of loans, three
month after's
date.

XXVIII. And be it further enacted, That the exchequer bills to be made out in pursuance of this act, shall and may bear an interest not exceeding the rate of three-pence halfpenny per centum per diem, upon or in respect of the whole of the monies respectively contained therein; and that all such exchequer bills shall be receivable as money in payment for any publick taxes to the receipt of any branch of the revenue, at any time after the expiration of three months from the date of every such bill respectively; and shall also be receivable as money in any instalment of the loan of eighteen millions to be raised by virtue of this act, which shall become payable after the expiration of three months from the date of every such bill respectively; and that no exchequer bills shall be issued on the whole, receivable in any one instalment, to a greater amount than the sum which shall remain due on account of such instalment, at the time of the issue of any such exchequer bill respectively.

Cashier of the
bank to re-
ceive bills,
and mark
thereon the
interest, and
receive them,
and pay them
into the ex-
chequer as
cash.

XXIX. And be it further enacted, That all and every the said exchequer bills to be made forth by virtue of this act, when and as the same shall become payable, shall and may be received, and taken by the said cashier or cashiers at the bank of England from any person or persons, bodies politick or corporate, making any payments there for or upon account of any part of the said sum of eighteen millions; and the said cashier or cashiers shall, upon receipt of any such exchequer bills in payment as aforesaid, compute and mark the interest due on such bills respectively, and the amount of the principal contained in such bills,

1796.] Anno regni tricesimo septimo GEORGII III. c. 11, 12. 127

bills, and the interest computed and marked thereon, as aforesaid, shall allow, and receive the same as ready money, and shall pay the same into the receipt of the exchequer as cash, on account of the said sum of eighteen millions to be raised by virtue of this act; and in case any such cashier or cashiers shall refuse or neglect to receive any such bill or bills, and to allow the principal and interest thereupon, to be computed and marked as aforesaid, as ready money in payment on account of the said sum of eighteen millions, then the person delivering the same may bring an action on the case for the damages sustained thereby; and the plaintiff in every such action may recover his full damages sustained thereby, with full costs of suit; in which action no escoin, privilege, or more than one imparlance, shall be allowed.

An action may be brought against him for refusing to receive bills, &c.

XXX. Provided always, and be it further enacted, That no exchequer bill to be made forth by virtue of this act, shall be paid, received, or taken by, or pass or be current with, any collector or receiver of any revenue, aid, supply, or tax whatever, payable to his Majesty, his heirs, or successors, or at the receipt of the exchequer, from any such receiver or collector, or from any other person or persons, bodies politick or corporate, (otherwise or any other account than for the discharging and cancelling of such exchequer bill, in case the same shall be in due course or order of payment); nor shall any action be maintained against any such collector or receiver, for neglecting or refusing to receive any such exchequer bill, nor against any officer of the receipt of the exchequer, for neglecting or refusing to receive the same before the day on which the same shall be made payable in pursuance of this act.

Bills not to be received for any tax, or at the exchequer, but in the course of payment.

C A P. XI.

An act to indemnify such persons as have omitted to qualify themselves for offices and employments; and to indemnify justices of the peace, or others, who have omitted to register or deliver in their qualifications within the time limited by law, and for giving further time for those purposes; and to indemnify members and officers, in cities, corporations and borough towns, whose admissions have been omitted to be stamped according to law, or having been, stamped, have been lost or mislaid, and for allowing them time to provide admissions duly stamped; to give further time to such persons as have omitted to make and file affidavits of the execution of indentures of clerks to attorneys and solicitors; and for indemnifying deputy lieutenants and officers of the militia, who have neglected to transmit descriptions of their qualifications to the clerks of the peace within the time limited by law, and for allowing further time for that purpose.—[December 23, 1796.]

C A P. XII.

An act to continue several acts, made in the thirty-fifth and thirty-sixth years of his present Majesty's reign, respecting the admission of certain articles of merchandize in neutral ships, and the issuing of orders in council for that purpose for a limited time.—[December 23, 1796.]

Acts 35 Geo. 3. c. 15.—35 Geo. 3. c. 80.—36 Geo. 3. c. 76 continued until six weeks after the commencement of the next session of parliament.

C A P.

C A P. XIII.

An act to enable the company of proprietors of the Dudley canal navigation, to raise a further sum of money for completing the said navigation; and for amending the several acts relating thereto.—[December 23, 1796.]

Acts 16, 25, 30, and 33 Geo. 3rd recited. Company may borrow 40,000l. more.

C A P. XIV.

An act for granting to his Majesty additional duties of excise on 'auitions, bricks, cocoa nuts, British and foreign spirits, and tea.—[December 28, 1796.]

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making a permanent addition to the publick revenue, have freely and voluntarily resolved to give and grant unto your Majesty the several new and additional rates and duties of excise herein respectively mentioned: and do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That there shall be raised, levied, collected, and paid, to and for the use of his Majesty, his heirs and successors, upon the several goods, wares, merchandize, and commodities, mentioned and described in the schedule marked (A), hereunto annexed, the several sums of money and duties of excise, as they are respectively inserted, described, and set forth in the said schedule; and that there shall be made, allowed, and paid, for or in respect of goods, wares, merchandize, and commodities, for or in respect whereof any duty of excise is by this act imposed, to the several persons entitled to the same, the several drawbacks of excise as the same are also respectively inserted, described, and set forth in the schedule, marked (B), hereunto annexed; and also all such special allowances as are particularly directed by any act or acts of parliament in force on and immediately before the passing of this act; and the same respectively shall commence and take effect from the respective days mentioned in the said schedules, in cases where special dates are inserted therein, and in cases where no such date is inserted, from the day on which this act shall receive the royal assent.

Duties in
schedule (A)
to be levied,
and draw-
backs in
schedule (B)
allowed.

Commence-
ment of du-
ties.

Duties to be
under the ma-
nagement of
the commis-
sioners of
excise in
England and

II. And be it further enacted, That such of the duties of excise by this act imposed, as shall arise in that part of Great Britain called England, shall be under the management of the commissioners of excise in England for the time being; and such thereof as shall arise in that part of Great Britain called Scotland, shall

shall be under the management of the commissioners of excise in Scotland respectively. Scotland for the time being; and shall be accounted for, cleared off, paid, satisfied, and discharged by the person and persons liable to the accounting for, clearing off, payment, satisfaction, or discharge thereof, at such time and times, and in such manner, as the duties of excise chargeable upon the like goods, wares, merchandize, and commodities respectively, or upon any person or persons for or in respect thereof, were by any act or acts of parliament in force immediately before the passing of this act, to be accounted for, cleared off, paid, satisfied, or discharged.

III. And whereas, contracts or agreements may have been made before the said seventh day of December one thousand seven hundred and ninety-six, by importers or dealers in foreign spirits, and by distillers and makers of spirits, for such spirits respectively to be delivered after the said seventh day of December one thousand seven hundred and ninety-six; be it therefore enacted, That such importers or dealers, and such distillers and makers, respectively delivering such spirits after the said seventh day of December one thousand seven hundred and ninety-six, in pursuance of such contracts, shall be allowed to add so much money as will be equivalent to the duties by this act imposed for or in respect of such spirits respectively, to the price thereof, and shall be entitled by virtue of this act to be paid for the same accordingly.

IV. And be it further enacted, That the said several sums of money respectively inserted, described, and set forth in the said schedule hereunto annexed, marked (A), as the duties of excise; and the drawbacks of the duties of excise set forth in the said schedule, marked (B), upon the several goods, wares, merchandizes, or commodities inserted therein, shall and may be respectively raised, levied, collected, answered, paid, recovered, adjudged, mitigated, and allowed, in such and the like manner, and in or by any or either of the general means, ways, or methods by which the former duties of excise respectively, and drawbacks of duties of excise respectively, or by any or either of the special means, ways, or methods respectively by which the former duties of excise respectively, and drawbacks of duties of excise respectively upon goods, wares, merchandizes, or commodities of the same sorts or kinds respectively, were or might be raised, levied, collected, answered, paid, recovered, adjudged, mitigated, and allowed; and the goods, wares, merchandizes, or commodities so by this act respectively made liable to the payment of, or chargeable with duties of excise, or so entitled to drawbacks of duties of excise, as respectively inserted, described, and set forth in the said schedules hereunto annexed, shall be, and the same are hereby made subject to all and every the conditions, regulations, rules, restrictions, and forfeitures, to which goods, wares, merchandizes, or commodities in general, and also all and every the special conditions, rules, regulations, restrictions, and forfeitures respectively, to which the like goods, wares, or merchandizes respectively were subject and liable by any act or acts of parliament in force immediately before the passing of this

Where contracts have been made before Dec. 7, 1796, for delivery of spirits after that day, the duty may be added to the price.

Duties and drawbacks to be levied and allowed according to, and the goods, &c. to be subject to the laws of excise.

act respecting the duties of excise; and all and every pain, penalty, fine, or forfeiture, of any nature or kind whatever, as well pains of death, as others, for any offence whatever committed against or in breach of any act or acts of parliament in force immediately before the passing of this act, made for securing the revenue of excise, or for the regulation or improvement thereof; and the several clauses, powers, and directions therein contained, shall and are hereby directed and declared to extend to, and shall be respectively applied, practised, and put in execution for and in respect of the several duties of excise, and drawbacks of duties of excise hereby charged and allowed, in as full and ample manner, to all intents and purposes whatever, as if all and every the said acts, clauses, provisions, powers, directions, fines, pains, penalties, or forfeitures were particularly repealed, and re-enacted in the body of this act.

Duties and drawbacks on specifick quantities, to apply proportionally to greater or less quantities.

Duties to be paid into the exchequer, and carried to consolidated fund,

and deemed an addition to the revenue for defraying the increased charge occasioned by any loan of this session.

V. And be it further enacted, That in all cases where duties are imposed, or drawbacks allowed by this act, on any specifick quantity of goods, wares or merchandize, the same shall in every case be understood and deemed and taken to apply in the same proportion, and after the same rate, to any greater or less quantity than such specifick quantity.

VI. And be it further enacted, That all the money arising by the duties by this act imposed (the necessary charges of raising and accounting for the same excepted) shall from time to time be paid into the receipt of his Majesty's exchequer at *Westminster*; and the said monies so paid into the said receipt of exchequer as aforesaid, shall be carried to and made part of the consolidated fund.

VII. Provided always, and be it further enacted, That all the monies arising, or to arise, by the said rates and duties, or any of them, shall be deemed an addition made to the revenue, for the purpose of defraying the increased charge occasioned by any loan made, or stock created or to be created by virtue of any act or acts passed, or to be passed, in this session of parliament; and that the said monies shall, during the space of ten years next ensuing, be paid into the said receipt of his Majesty's exchequer at *Westminster*, distinctly and apart from all other branches of the publick revenues; and that there shall be provided and kept in the office of the auditor of the said receipt during the said period of ten years, a book or books, in which all the monies arising from the said rates and duties, and paid into the said receipt, shall, together with the monies arising from any other rates and duties, granted in this session of parliament, for the purpose of defraying such increased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatever.

SCHEDULES to which this Act refers.

(A.)

A U C T I O N.

FOR every twenty shillings of the purchase money which shall arise or be payable by virtue of any sale at auction in *Great Britain*, of any interest in possession, or reversion in any freehold, copyhold, or leasehold lands, tenements, houses, or hereditaments, and of any annuities or sums of monies charged thereon, and of any utensils in husbandry, and farming stocks, ships, and vessels, and of any reversionary interest in the publick funds, and of any plate or jewels, to be paid by the auctioneer, agent, factor, or seller, by commission

s. d.

o 2 $\frac{1}{2}$

For every twenty shillings of the purchase money which shall arise or be payable by virtue of any sale at auction in *Great Britain*, of furniture, fixtures, pictures, books, horses, and carriages, and all other goods and chattels whatsoever, to be paid by the auctioneer, agent, factor, or seller, by commission

o 3

B R I C K S.

For every thousand of bricks which shall be made in *Great Britain*

i o

C O C O A N U T S.

For every pound weight avoirdupoise of cocoa nuts, of the growth or produce of any *British* colony or plantation in *America*, which shall be imported into *Great Britain*, and delivered out of the warehouse in which the same shall be lodged under the care and custody of the proper officers for securing the duties payable thereon for home consumption, or which having been imported into *Great Britain*, shall be delivered, or shall have been so delivered, after the seventh day of *December* one thousand seven hundred and ninety-six, out of the warehouse in which the same shall have been so lodged, a duty of

o 9

For every pound weight avoirdupoise of cocoa nuts, of the growth or produce of any other place which shall be imported into *Great Britain*, and delivered out of the warehouse in which the same shall be lodged under the care and custody of the proper officers for securing the duties payable thereon for home consumption, or which, having been imported into *Great Britain*, shall be so delivered, or shall have been so delivered, after the said seventh day of *December* one thousand seven hundred and ninety-six, out of the warehouse in which the same shall have been so lodged, a duty of

— 2 $\frac{1}{2}$ 6

x 2

S P I R I T S.

S P I R I T S.

s. d.

For every gallon of fermented wort or wash which shall be brewed or made in that part of Great Britain called *England*, for extracting spirits for home consumption, from any malt, corn, grain, or tilts, or any mixture with the same, or which shall have been so brewed or made, and which shall not have been actually distilled into spirits on or before the ninth day of December one thousand seven hundred and ninety-six

For every gallon of cyder or perry, or any other wash, or liquor which shall be brewed or made in that part of Great Britain called *England*, from any sort or kind of British materials (except such as are before mentioned), or from any mixture therewith, for extracting spirits for home consumption, or which shall have been so brewed or made, and which shall not have been actually distilled into spirits on or before the said ninth day of December one thousand seven hundred and ninety-six

For every gallon of fermented wort or wash which shall be brewed or made in that part of Great Britain called *England*, from molasses or sugar, or any mixture therewith, for extracting spirits for home consumption, or which shall have been so brewed or made, and which shall not have been actually distilled into spirits on or before the said ninth day of December one thousand seven hundred and ninety-six

For every gallon of wash which shall be brewed or made in that part of Great Britain called *England*, from foreign refused wine, or foreign cyder, or wash prepared from foreign materials (except molasses and sugar), or any mixture therewith for extracting spirits for home consumption, or which shall have been so brewed or made, and which shall not have been actually distilled into spirits on or before the said ninth day of December one thousand seven hundred and ninety-six

For every ninety-six gallons of wash which sir *William Bishop*, *Aigles Bishop*, and *George Bishop*, or the survivors or survivor of them, shall produce from a weight of malt or other corn, including the bran thereof, and not exceeding one hundred and twelve pounds, or which by them, or the survivors or survivor of them, shall have been so produced, and which shall not have been actually distilled into spirits on or before the said ninth day of December one thousand seven hundred and ninety-six

For every gallon, English wine measure, of spirits of a strength not exceeding that of one to ten over hydrometer proof, which shall be made or manufactured in that part of Great Britain called *Scotland*, and imported or brought

2 8*½*

brought from thence into that part of *Great Britain* called *England*, or which shall have been so made or manufactured, and which shall have been so imported or brought after the ninth day of *December* one thousand seven hundred and ninety-six, or which shall be so imported or brought

For every gallon, *English* wine measure, of such spirits which shall have been imported or brought from that part of *Great Britain* called *Scotland*, into that part of *Great Britain* called *England*, and which shall have been, after the said ninth day of *December* one thousand seven hundred and ninety-six, or which shall be found in any ship or vessel in which the same shall have been so imported or brought, or in any lighter, boat, or other vessel, after the unshipping, and before the landing thereof, or upon any pier, quay, wharf, or other place, upon the first landing thereof, and which shall not actually have been charged with any duty by this act imposed, to be paid by the importer or proprietor thereof, as the case may require, upon demand, an excise duty of

For every gallon, *English* wine measure, of such spirits of a greater strength than that of one to ten over hydrometer proof, and not exceeding three *per centum* over and above one to ten over hydrometer proof, which shall be made or manufactured in that part of *Great Britain* called *Scotland*, and imported or brought from thence into that part of *Great Britain* called *England*, or which shall have been so made or manufactured, and which shall have been so imported or brought after the said ninth day of *December*, or which shall be imported or brought, an additional duty in proportion to the surplus strength.

For every gallon, *English* wine measure, of such spirits of a greater strength than that of one to ten over hydrometer proof, and not exceeding three *per centum* over and above one to ten over hydrometer proof, which shall have been imported or brought from that part of *Great Britain* called *Scotland*, to that part of *Great Britain* called *England*, and which shall have been, after the said ninth day of *December* one thousand seven hundred and ninety-six, or which shall be found in any ship or vessel in which the same shall have been so imported or brought, or in any lighter, boat, or other vessel, after the unshipping and before the landing thereof, or upon any pier, quay, wharf, or other place, upon the first landing thereof, and which shall not actually have been charged with any duty by this act imposed, an additional duty in proportion to the surplus strength, to be paid by

the importer or proprietor, as the case may require, upon demand.

For every gallon of single brandy which shall be imported into *Great Britain*, or which shall have been so imported, after the said ninth day of *December* one thousand seven hundred and ninety-six, to be paid by the importer thereof, before the landing thereof —

For every gallon of single brandy which shall have been imported into *Great Britain*, and which shall have been, after the said ninth day of *December* one thousand seven hundred and ninety-six, or which shall be found in any ship or vessel in which the same shall have been imported, or in any lighter, boat, or other vessel, after the unshipping and before the landing thereof, or upon any pier, quay, wharf, or other place, upon the first landing thereof, and which shall not actually have been charged with any duty by this act imposed, to be paid by the importer or proprietor thereof, as the case may require, upon demand —

For every gallon of brandy above proof, which shall be imported into *Great Britain*, or which shall have been so imported after the said ninth day of *December* one thousand seven hundred and ninety-six, to be paid by the importer, before the landing thereof —

For every gallon of brandy above proof which shall have been imported into *Great Britain*, and which shall have been, after the said ninth day of *December* one thousand seven hundred and ninety-six, or which shall be found in any ship or vessel in which the same shall have been imported, or in any lighter, boat, or other vessel, after the unshipping and before the landing thereof, or upon any pier, quay, wharf, or other place, upon the first landing thereof, and which shall not actually have been charged with any duty by this act imposed, to be paid by the importer or proprietor thereof, as the case may require, upon demand —

For every gallon of rum, spirits, or *Aqua Vitæ*, of the produce of the *British* colonies or plantations, which shall be imported into *Great Britain*, or which shall have been so imported after the said ninth day of *December* one thousand seven hundred and ninety-six, to be paid by the importer thereof, before the landing thereof —

For every gallon of rum, spirits, or *Aqua Vitæ*, of the produce of the *British* colonies or plantations which shall have been imported into *Great Britain*, and which shall have been, after the said ninth day of *December* one thousand seven hundred and ninety-six, or which shall be found in any ship or vessel in which the same shall have been imported, or in any lighter, boat, or other vessel, after the unshipping and before the landing thereof, or upon

s. d.

upon any pier, quay, wharf, or other place, upon the first landing thereof, and which shall not actually have been charged with any duty by this act imposed, to be paid by the importer or proprietor thereof, as the case may require, upon demand

o 8

For every gallon of rum, spirits, or *Aqua Vitæ*, above proof, of the produce of the *British* colonies or plantations, which shall be imported into *Great Britain*, or which shall have been so imported after the said ninth day of *December* one thousand seven hundred and ninety-six, to be paid by the importer thereof, before the landing thereof

I 4

For every gallon of rum, spirits, or *Aqua Vitæ*, above proof, of the produce of the *British* colonies or plantations, which shall have been imported into *Great Britain*, and which shall have been, after the said ninth day of *December* one thousand seven hundred and ninety-six, or which shall be found in any ship or vessel in which the same shall have been imported, or in any lighter, boat, or other vessel, after the unshipping and before the landing thereof, or upon any pier, quay, wharf, or other place, upon the first landing thereof, and which shall not actually have been charged with any duty by this act imposed, to be paid by the importer or proprietor thereof, as the case may require, upon demand

I 4

For every gallon of rum or spirits, of the produce of the *British* plantations, which shall have been, after the said ninth day of *December* one thousand seven hundred and ninety-six, or which shall be in any warehouse in which the same shall have been put, subject and according to the rules, regulations, restrictions, and provisions, contained and provided in an act, made in the fifteenth year of the reign of his late majesty King *George* the Second, concerning the landing of rum or spirits of the *British* sugar plantations, before payment of the duties of excise, and lodging the same in warehouses, and which shall have been, after the said ninth day of *December* one thousand seven hundred and ninety-six, or shall be delivered out of any such warehouse or warehouses respectively, for home consumption, and which shall not actually have been charged with any duty by this act imposed, to be paid by the importer or proprietor, as the case may require, upon demand

o 8

For every gallon of rum or spirits above proof, of the produce of the *British* plantations, which shall have been, after the said ninth day of *December* one thousand seven hundred and ninety-six, or shall be in any such warehouse, and which shall have been, after the said ninth day of *December* one thousand seven hundred and ninety-six, or shall be delivered out of any such warehouse for home

home consumption, and which shall not actually have been charged with any duty by this act imposed, to be paid by the importer or proprietor thereof, as the case may require, upon demand, a duty of —

I 4

For every gallon of single spirits or *Aqua Vitæ* (other than such brandy, rum, or spirits, as aforesaid), which shall be imported into *Great Britain*, or which shall have been imported after the said ninth day of *December* one thousand seven hundred and ninety-six, to be paid by the importer thereof, before the landing thereof —

o 10

For every gallon of single spirits or *Aqua Vitæ* (other than such brandy, rum, or spirits, as aforesaid), which shall have been imported into *Great Britain*, and which shall have been, after the said ninth day of *December* one thousand seven hundred and ninety-six, or shall be found in any ship or vessel in which the same shall have been imported, or in any lighter, boat, or other vessel, after the unshipping and before the landing thereof, or upon any pier, quay, wharf, or other place, upon the first landing thereof, and which shall not actually have been charged with any duty by this act imposed, to be paid by the importer or proprietor thereof, as the case may require, upon demand —

o 10

For every gallon of spirits or *Aqua Vitæ* (other than such brandy, rum, or spirits, as aforesaid), above proof, which shall be imported into *Great Britain*, or which shall have been so imported after the said ninth day of *December* one thousand seven hundred and ninety-six, to be paid by the importer, before the landing thereof

I 8

For every gallon of spirits or *Aqua Vitæ* (other than such brandy, rum, or spirits, as aforesaid), above proof, which shall have been imported into *Great Britain*, and which shall have been, after the said ninth day of *December* one thousand seven hundred and ninety-six, or shall be found in any ship or vessel in which the same shall have been imported, or in any lighter, boat, or other vessel, after the unshipping and before the landing thereof, or upon any pier, quay, wharf, or other place, upon the first landing thereof, and which shall not actually have been charged with any duty by this act imposed, to be paid by the importer or proprietor thereof, as the case may require, upon demand —

I 8

T E A.

For and upon all tea which shall be sold at the sales of the united company of merchants of *England*, trading to the *East Indies*, for two shillings and sixpence per pound weight, or upwards, after the seventh day of *December* one thousand seven hundred and ninety-six, ten pounds *per centum*, to be computed upon the gross prices at which such tea shall be sold, to be paid by the purchasers

of

of such tea to the said united company, and to be paid by the said united company to the commissioners of excise for the time being.

(B.)

D R A W B A C K S.

B R I C K S.

For all bricks which shall be made in *Great Britain* (for which the duties by this act imposed in respect thereof shall have been paid), and exported as merchandize to foreign parts, the duty by this act imposed in respect of such bricks.

T E A.

For all tea (for which the duty hereby imposed in respect thereof shall have been paid), which shall be exported to *Ireland*, or his Majesty's plantations in *America*, the whole of the duty of excise by this act imposed in respect thereof.

C A P. XV.

An act for granting to his Majesty certain duties of customs, on goods, wares, and merchandize, imported into, exported from, or brought and carried coastwise, within Great Britain, except wine, and except coals, when brought or carried coastwise; and for applying the money to arise by virtue of an act, passed in the last session of parliament, intituled, An act for the reduction of the drawbacks and bounties now allowed on the exportation of sugar; towards defraying the increased charge occasioned by any loan granted, or stock created, by any act or acts passed in the last session of parliament.—[December 28, 1796.]

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the Preamble. commons of *Great Britain* in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making a permanent addition to the publick revenue, have freely and voluntarily resolved to give and grant unto your Majesty the several additional duties of customs herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That there shall be raised, levied, collected, and paid, unto and for the use of his Majesty, his heirs and successors, over and above the duties payable by law, the following additional duties on sugars, to be paid in ready money, without any discount or abatement whatever; that is to say,

For every hundred weight, containing one hundred and twelve Rates. pounds, of brown and muscovado sugar of the British plantations,

The following additional duties on sugars to be paid:

tions, which shall be imported or brought into *Great Britain*, or which shall have been so imported, after the seventh day of *December* one thousand seven hundred and ninety-six, the sum of two shillings and sixpence; and so in proportion for any greater or less quantity:

For every hundred weight, containing one hundred and twelve pounds of sugar, which shall have been or shall be imported into *Great Britain*, by the united company of merchants of *England* trading to the *East Indies*, and which shall have been or shall be sold at the sales of the said company, to be used or consumed in this kingdom, after the said seventh day of *December* one thousand seven hundred and ninety-six, the sum of two shillings and sixpence; and so in proportion for any greater or less quantity: and,

For every hundred weight, containing one hundred and twelve pounds, of all sugar which shall be imported into *Great Britain*, (except sugars herein-before charged), or which shall have been so imported, after the said seventh day of *December* one thousand seven hundred and ninety-six, the sum of five shillings; and so in proportion for any greater or less quantity.

If sugars subject to the duty of 5s. be warehoused, it shall not be paid till taken out for home consumption.

II. Provided always, That if any sugars subject to the said duty of five shillings imposed by this act, shall be warehoused by virtue of any act or acts of parliament, then and in such case the said duty shall not be paid or payable thereon, until such sugars shall be taken out of such warehouse to be used or consumed in this kingdom, in which case, and before the same shall be delivered from such warehouse, the said duty, over and above all other duties to which such sugars are liable by law, shall be first paid to the proper officer of his Majesty's customs.

On brown and muscovado sugar of the British plantations, imported after Dec. 7, 1796,

and be it further enacted, That upon all brown and muscovado sugar, of the *British* plantations, which shall have been imported into *Great Britain* after the said seventh day of *December* one thousand seven hundred and ninety-six, and on which the duties by this act imposed shall have been paid, there shall be paid or allowed, on the due exportation thereof, within the times limited by law, a drawback of the whole of the said duty by this act imposed, provided the said sugar be exported in exportation; the same state in which it was imported, but not otherwise.

and on Bastard, &c. sugars so imported, an additional draw-

back of 2s. 6d. per cwt.;

IV. And be it further enacted, That for all refined sugar called *Bastard*, and ground or powdered sugar, and refined loaf sugar broke in pieces, and all sugar called *Candy*, which shall be made from brown or muscovado sugar of the *British* plantations, which shall have been imported into *Great Britain*, after the said seventh day of *December* one thousand seven hundred and ninety-six, and on which the duty by this act imposed shall have been paid, there shall be allowed on exportation of every hundred weight thereof, containing one hundred and twelve pounds, within the time limited by law, to the exporter thereof, a drawback or bounty of two shillings and sixpence, and so in proportion for any greater or less quantity of such sugars respectively, over and above all other bounties or drawbacks allowed for the same

same by law, on and immediately before the said seventh day of December one thousand seven hundred and ninety-six.

V. And be it further enacted, That for all refined sugar in and on refined sugar made from brown sugar made from brown and muscovado sugar of the British plantations, which shall have been imported into Great Britain after the said seventh day of December one thousand seven hundred and ninety-six, and on imported, an which the duty by this act imposed shall have been paid, there shall be allowed on exportation of every hundred weight thereof, containing one hundred and twelve pounds, within the time limited by law, to the exporter thereof, a drawback or bounty of four shillings, and so in proportion for any greater or less quantity of such sugar, over and above all other drawbacks or bounties allowed for the same by law, on and immediately before the said seventh day of December one thousand seven hundred and ninety-six.

VI. And be it further enacted, That there shall be raised, levied, collected, and paid, unto and for the use of his Majesty, his heirs and successors, the following additional duties of customs; that is to say, For every thousand of bricks imported into Great Britain from and after the passing of this act, the sum of three shillings and seven-pence.

VII. And be it further enacted, That, from and after the passing of this act, there shall also be raised, levied, collected, and paid respectively, unto and for the use of his Majesty, his heirs and successors, an additional duty of customs at and after the rate of five pounds per centum upon the produce and amount of all the several duties of customs then payable by law, for and upon any goods, wares, and merchandize, which shall be imported into, exported from, or brought or carried coastwise from port to port in Great Britain, except as herein-after is excepted; and a like additional duty of customs at and after the rate of ten pounds per centum upon the produce and amount of the several duties of customs then due and payable by law, on the importation into Great Britain of the following articles, that is to say, Brimstone, hemp, iron in bars or unwrought, and staves, imported from any part of Europe: provided always, That the said respective duties of five pounds and ten pounds per centum herein-before granted, shall not be charged or paid for or on account of any prize goods which now are, or hereafter may be, warehoused in this kingdom, by virtue of any act or acts of parliament made out for granting relief to the captors of prizes, with respect to the bringing and landing prize goods in this kingdom, until such goods shall be taken out of or delivered from such warehouses to be used or consumed in this kingdom; in which case, and before the same shall be so taken out of or delivered from such warehouses, the respective duties by this act imposed of five pounds and ten pounds per centum on the produce and amount of the respective duties of customs payable by law on any such goods so taken out of or delivered from such warehouses, shall be first paid to the proper officer of his Majesty's customs: provided

Duty of 5l.
per cent. not
payable on
certain arti-
cles.

Anno regni tricesimo septimo GEORGII III. c. 15. [1796.]

provided also, That the said duty of five pounds *per centum* herein-before granted, shall not be charged or paid on the produce and amount of the duties of customs, payable on the importation of any wine into *Great Britain*, nor on the produce and amount of the duty of customs payable on coals brought or carried coast-wise from port to port in this kingdom; nor on the produce and amount of the duties of customs payable by law on any goods, wares, or merchandize, on which other duties are by this act imposed.

VIII. And be it further enacted, That such of the duties of customs by this act granted as shall arise in that part of *Great Britain* called *England*, shall be under the management of the commissioners of the customs in *England* for the time being; and such thereof as shall arise in that part of *Great Britain* called *Scotland*, shall be under the management of the commissioners of the customs in *Scotland* for the time being.

IX. And be it further enacted, That the several duties of customs granted by this act, and the drawbacks allowed, shall and may be respectively managed, ascertained, raised, levied, collected, answered, paid, recovered, and allowed in such and the like manner, and in and by any and either of the means, ways, or methods, by which the duties of customs imposed, and the drawbacks allowed on the like goods, by an act passed in the twenty-seventh year of the reign of his present Majesty, amongst other things, for repealing the several duties of customs and excise, and granting other duties in lieu thereof, were or might be managed, ascertained, raised, levied, collected, answered, paid, recovered, and allowed; and the said goods, wares, or merchandize so by this act respectively made chargeable with duties of customs, or entitled to drawbacks thereof on exportation, shall be, and the same are hereby made subject and liable, to all and every the conditions, regulations, rules, restrictions, and forfeitures, to which the like goods, wares, or merchandize were subject and liable by any act or acts of parliament in force, on and immediately before the passing of this act; and all and every pain, penalty, fine, or forfeiture, for any offence whatever committed against or in breach of any act or acts of parliament in force, on and immediately before the passing of this act, made for securing the revenue of customs, or for the regulation or improvement thereof; and the several clauses, powers, and directions therein contained, shall, and are hereby directed and declared to extend to, and shall be respectively applied, practised, and put in execution, for and in respect of the several duties of customs and drawbacks of customs hereby respectively charged and allowed, (as far as the same are applicable thereto), in as full and ample a manner, to all intents and purposes whatever, as if all and every the said acts, clauses, provisions, powers, directions, fines, pains, penalties, and forfeitures were particularly repeated and re-enacted in the body of this present act.

X. And be it further enacted, That all the monies from time to time arising by the several new and additional duties by this act imposed as aforesaid, (the necessary charges of raising and accounting

Goods, &c.
subject to the
regulations
provided by
law before
passing this
act, &c.

Duties to be
paid into the
exchequer,
and carried to

accounting for the same respectively excepted), shall from time the consolidated to time be paid into the receipt of his Majesty's exchequer at dated fund. Westminster; and the said money, so paid in as aforesaid, shall be carried to and made part of the consolidated fund.

XI. Provided always, and be it further enacted, That the Application of monies to arise as aforesaid, or so much thereof as shall be sufficient, shall be deemed an addition made to the revenue, for the purpose of defraying the increased charge occasioned by any loan to be made or stock created, or to be created, by virtue of any act or acts passed or to be passed in this session of parliament, and that the said monies, during the space of ten years next ensuing, shall continue to be paid into the said receipt of his Majesty's exchequer, distinctly and apart from all other branches of the publick revenue; and that there shall be provided and kept, in the office of the auditor of the said receipt, during the said period of ten years, a book or books in which all the monies arising from the said duties, and paid into the said receipt by virtue of this act, shall, together with the monies arising from any other duties granted in this session of parliament, for the purpose of defraying such increased charge as aforesaid, be entered, separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatever.

XII. And whereas doubts have arisen with respect to the application of the profits to arise to the publick by the provisions in an act, passed in the last session of parliament, intituled, An act for the reduction of the drawbacks and bounties now allowed on the exportation of sugar; be it therefore enacted, That, from and after the passing of this act, so much of the before recited act, as directs the application and setting apart of the several sums of money therein mentioned and described, shall be repealed; and that the application of sum of twenty-nine thousand one hundred and sixty-nine pounds one shilling and five-pence, being one-fourth part of the sum of one hundred and sixteen thousand six hundred and seventy-six pounds five shillings and eight-pence, the annual average amount of the saving to the publick, at the rate of reductions of bounties and drawbacks by the before recited act, according to the average of the exportation of sugars for three years previous to the fifth day of January one thousand seven hundred and ninety-six, shall quarterly, upon the fifth day of January, the fifth day of April, the fifth day of July, and the tenth day of October, in every year, during the period of nine years, be set apart from the money paid into the receipt of his Majesty's exchequer arising from the duties of customs; and the said sum of one hundred and sixteen thousand six hundred and seventy-six pounds five shillings and eight-pence, shall be deemed an addition made to the revenue, for the purpose of defraying the encreased charge occasioned by any loan made, or stock created, by virtue of any act or acts passed in the last session of parliament; and that there shall be provided and kept, in the office of the auditor of the receipt of his Majesty's exchequer, during the said period of nine years, a book or books, in which the monies so set apart, and arising from the said reduction

36 Geo. 3.
c. 18. recited,
and so much
thereof as
mentioned re-
pealed, and
the applica-
tion to be
made as here-
in mentioned.

tion of drawback and bounties, shall, together with the monies arising from any other rates or duties granted in the last session of parliament, for the purpose of defraying such increased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatever.

C A P. XVI.

An act for granting to his Majesty an additional duty on stage coaches.—[December 28, 1796.]

Preamble.

W E, your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making a permanent addition to the publick revenue, have freely and voluntarily resolved to give and grant unto your Majesty the additional duty herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the fifth day of January one thousand seven hundred and ninety-seven, the owner or owners of every coach, berlin, landau, chariot, calash, chaise marine, chaise, diligence, or other carriage, with four or more wheels, and of every calash, chaise, chair, or any other carriage with less than four wheels by what name soever the same now is or hereafter shall be called or known, to be employed as publick stage coaches or carriages for the purpose of conveying passengers for hire to and from different places in the kingdom of Great Britain, shall be, and be and they is and are hereby charged with an additional duty of one penny for every mile such carriage or carriages as aforesaid shall travel.

From Jan. 5, 1797, the owner of every stage coach to pay an additional duty of rd. for each mile it shall travel.

Duty to be levied, &c.
as stamp duties.

II. And be it further enacted, That the duty by this act imposed shall from time to time be raised, collected, levied, and paid, by such persons at such time, in such manner, and by such ways and means, and under such management, and under and subject to such penalties and forfeitures, and with and subject to such powers, rules, and directions, and by such methods, and in such manner and form, as are directed and prescribed in and by an act, passed in the twenty-fifth year of the reign of his present Majesty; intituled, *An act for repealing the duties on licences taken out by persons letting horses for the purpose of travelling post, and on horses let to hire for travelling post, and by time, and on stage coaches; and for granting other duties in lieu thereof; and also additional duties on horses let to hire for travelling post, and by time, or by any other act or acts of parliament relating to the duties under the management of the commissioners for managing the duties upon stamped yellow, parchment, and paper; and that all*

all the powers, authorities, rules, directions, provisions, penalties, and forfeitures, mentioned and contained in the said acts respectively, shall be in full force and effect with relation to the duty hereby imposed, and the same shall be applied and put in execution for the raising, levying, collecting, and securing, the duty hereby imposed, as fully, to all intents and purposes, as if the same had severally and respectively been re-enacted with relation to the said duty hereby imposed.

III. And be it further enacted, That all the monies arising from the said duty hereby imposed, (the necessary charges for raising and accounting for the same excepted), shall from time to time be paid into the receipt of his Majesty's exchequer, and shall be carried to and made part of the consolidated fund.

Duty to be paid into the exchequer, and carried to the consolidated fund,

IV. Provided always, and be it further enacted, That the monies arising or to arise of the duty hereby imposed, or so much thereof as shall be sufficient, shall be deemed an addition made to the revenue, for the purpose of defraying the encreased charge occasioned by any loan to be raised, or stock created or to be created by any act or acts passed, or to be passed in this session of parliament; and that the said monies shall, during the space of ten years next ensuing, be paid into the said receipt distinctly and apart from all other branches of the publick revenue; and that there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book or books in which all the monies arising from the said duty hereby imposed shall, together with the monies arising from any other rates and duties granted in this session of parliament for the purpose of defraying such encreased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs and successors, upon any account whatever.

C A P. XVII.

An act for granting to his Majesty certain additional duties on distilleries in Scotland, and on the exportation of British-made spirits from England to Scotland, and from Scotland to England. — [December 28, 1796.]

Most gracious Sovereign.

WE, your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making a permanent addition to the publick revenue, having freely and voluntarily resolved to give and grant to your Majesty the further and additional duties herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, there shall be raised, levied, collected, and paid, to The following additional and cise to be paid:

Anno regni tricesimo septimo GEORGII III. c. 17. [1796.]
 and for the use of his Majesty, his heirs and successors, for and in respect of the several matters and things herein-after mentioned, over and above all duties already imposed for or in respect thereof, by any act or acts of parliament the further duties of excise herein-after mentioned; that is to say,

For each gallon of the contents of every still used for making spirits from British materials, in Scotland, (save as accepted by 33 Geo. 3. c. 61.), 36l. annually:

for each gallon of every still, used in Scotland, where molasses or sugar are used, 60l.; and

where other foreign materials are used, 72l.; and

for each gallon of rectifying stills, 36l.

For each gallon of stills, used in Eng-

land upon every gallon, *English wine measure*, of the cubical content or capacity of each and every still, (including the head and every part thereof, and of any horn, pipe, tube, or other apparatus therewith connected, under whatever name or denomination the same may be called or known, as high as the steam can ascend), which shall be used or employed for the making or distilling of low wines or spirits, from corn, grain, malt, tilts, cyder, or perry, or other wash or liquor, made or brewed from any sort of British materials, or any mixture therewith, in any part or place in Scotland, other than and except such counties and districts of the highlands, as in an act, made in the thirty-third year of the reign of his present Majesty, intituled, *An act for the regulation of distilleries in Scotland, and the exportation of British-made spirits from England to Scotland, and from Scotland to England*, are particularly specified, described, and enumerated, there shall be charged the annual sum of thirty-six pounds:

For and upon every gallon, *English wine measure*, of the cubical content or capacity of each and every still, (including the head and every part thereof, and of any horn, pipe, tube, or other apparatus therewith connected, under whatever name or denomination the same may be called or known, as high as the steam can ascend), which shall be used or employed in any part or place in Scotland, for the making or distilling of low wines or spirits from molasses or sugar, or any mixture therewith, the annual sum of sixty pounds:

For and upon every gallon, *English wine measure*, of the cubical content and capacity of each and every still, (including the head and every part thereof, and of any horn, pipe, tube, or other apparatus therewith connected, under whatever name or denomination the same may be called or known, as high as the steam can ascend), which shall be used or employed in any part or place in Scotland, for the making or distilling of low wines or spirits from foreign refused wine, or foreign cyder or wash, prepared from foreign materials, (except molasses and sugar), or any mixture therewith, the annual sum of seventy-two pounds:

For and upon every gallon, *English wine measure*, of the cubical content or capacity of each and every still, (including the head and every part thereof, and of any horn, pipe, tube, or other apparatus therewith connected, under whatever name or denomination the same may be called or known, as high as the steam can ascend), which shall be used or employed in any part or place in Scotland for the rectifying, compounding or mixing, of any kind of spirits or strong waters, the annual sum of thirty-six pounds:

For and upon every gallon, *English wine measure*, of the cubical content or capacity of each and every still, (including the head and every part thereof, and of any horn, pipe, tube, or other apparatus

news therewith connected, under whatever name or denomination ing spirits from British materials, for exportation to Scotland 36l.; the same may be called or known, as high as the steam can ascend), which shall be used or employed by any distiller or distillers, or maker or makers, of spirits, in that part of Great Britain called England, for making low wines or spirits from corn, grain, malt, tilts, cyder, perry, or other wash or liquor, made or brewed from any sort of British materials, or any mixture therewith, for exportation from thence to that part of Great Britain called Scotland, the annual sum of thirty-six pounds:

For and upon every gallon, English wine measure, of the cubical content or capacity of each and every still (including the head and every part thereof, and of any horn pipe, tube, or other apparatus therewith connected, under whatever name or deno- mination the same may be called or known; as high as the steam can ascend), which shall be used or employed by any such distiller or distillers, or maker or makers of spirits, in that part of Great Britain called England, for making low wines or spirits from molasses or sugar, or any mixture therewith, for such exportation as aforesaid, the annual sum of sixty pounds:

For and upon every gallon, English wine measure, of the cubical content or capacity of each and every still, (including the head and every part thereof, and of any horn, pipe, tube, or other apparatus therewith connected, under whatever name or denomi- nation the same may be called or known, as high as the steam can ascend), which shall be used or employed by any such distiller or distillers, or maker or makers of spirits, in that part of Great Britain called England, for making low wines or spirits from foreign refused wines, or foreign cyder or wash prepared from foreign materials, (except molasses and sugar), or any mixture therewith, for such exportation as aforesaid, the annual sum of seventy-two pounds:

For and upon every gallon, English wine measure, of the cubical content or capacity of each and every still, (including the head and every part thereof, and of any horn, pipe, tube, or other apparatus therewith connected, under whatever name or deno- mination the same may be called or known, as high as the steam can ascend), which shall be used or employed by such distiller or distillers, or maker or makers of spirits, in that part of Great Britain called England, for the rectifying, compounding or mixing, of any kind of spirits or strong waters, for exportation from thence to that part of Great Britain called Scotland, the annual sum of thirty-six pounds.

II. And be it further enacted, That the several and respective Duties to be raised, &c. ac- cording to the laws now in force.

duties by this act imposed, shall from time to time be raised, collected, recovered, secured, and paid, by such persons, at such times, in such manner, and by such ways and means, and under such management, and under and subject to such penalties and forfeitures, and with such power of adjudging and mitigating penalties and forfeitures, and with such other powers, and subject to such other powers, and subject to the like allowance, repayments, abatements, rules, and directions, and by such methods, and in such

Anno regni tricesimo septimo GEORGII III. c. 17. [1796.]
 manner and form, as by several acts, made in the the thirty-third and thirty-fifth years of the reign of his present Majesty, for the regulation of distilleries in Scotland, and the exportation of British-made spirits from England to Scotland, and from Scotland to England, or any other act or acts of parliament now in force, concerning the several matters and things respectively, for or in respect whereof any duty is by this act imposed, is directed or prescribed; and that all the provisions, penalties, forfeitures, powers, authorities, rules, and directions, mentioned and contained in the said acts respectively, shall be practised and put in execution for the raising, receiving, levying, recovering, securing, or paying, the several and respective duties by this act imposed, and for the making any repayment, allowance, or abatement, in manner in the said act directed, as fully and effectually, to all intents and purposes, as if the same were particularly repeated and enacted in this act.

Duties to be paid into the exchequer, and carried to the consolidated fund;

III. And be it further enacted by the authority aforesaid, That all the money arising by the duties by this act imposed, (the necessary charges of raising and accounting for the same excepted), shall from time to time be paid into the receipt of his Majesty's exchequer at Westminster; and the said monies so paid into the said receipt of exchequer as aforesaid, shall be carried to and made part of the consolidated fund.

and deemed an addition to the revenue for defraying the increased charge occasioned by any loan of this session.

IV. Provided always, and be it further enacted by the authority aforesaid, That all the monies arising, or to arise, by the said rates and duties, or any of them, shall be deemed an addition made to the revenue, for the purpose of defraying the increased charge occasioned by any loan made, or stock created or to be created by virtue of any act or acts passed or to be passed in this session of parliament; and that the said monies shall, during the space of ten years next ensuing, be paid into the said receipt of his Majesty's exchequer at Westminster, distinctly and apart from all other branches of the publick revenues; and that there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book or books in which all the monies arising from the said rates and duties, and paid into the said receipt, shall, together with the monies arising from any other rates and duties granted in this session of parliament, for the purpose of defraying such increased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatever.

Distillers in Scotland may deliver up their licences before Jan. 20, 1797, and receive a proportional part of the duty paid.

V. And be it further enacted, That it shall and may be lawful for any person or persons licensed by the commissioners of excise to work any still or stills for the distilling, making, or manufacturing of low wines or spirits from malt, corn, or any kind of materials herein-mentioned, or for the rectifying, compounding, or mixing of any kind of spirits, in any part of Scotland, to deliver up his, her, or their licence to the said commissioners, or to the principal officer of excise within the division, who shall, and they are hereby respectively authorised to vacate the same;

and every such person or persons delivering up such licence to be vacated before the twentieth day of January one thousand seven hundred and ninety-seven, shall be entitled to a return of a part of the duty paid thereupon for the present year, in proportion to the period of such year then unexpired; and all and every such person or persons shall be and they are hereby fully indemnified, freed, and discharged, from any payment of duty by this act imposed, and from any penalty, forfeiture, action, suit, or prosecution, for or by reason of his or their having worked or working any still or stills under the authority of such licence, between the time appointed by this act, for the commencement of the said duties, and the time of delivering up such licence as aforesaid.

VI. Provided always, and be it further enacted, That where any such licence shall have been granted to any such distiller or distillers, or maker or makers of spirits, and any entry or entries shall have been made by such distiller or distillers, or maker or makers of spirits, of more stills than one under such licence, it shall and may be lawful for such commissioners and officers of excise respectively, on notice being given to them respectively in writing, before the day herein mentioned, of the intention of such distiller or distillers, or maker or makers of spirits, to cease working one or more of such stills, and to continue to work the other or others of such stills, to indorse the same on the back of such licence, specifying in such indorsement the content of such still or stills respectively, and distinguishing such as are intended to be worked from such as are not intended to be worked after the time before limited, and to re-deliver such licence to such distiller or distillers, or maker or makers of spirits, with such indorsement thereupon; and which indorsement on such licence, shall be deemed to vacate such licence, in such part only as relates to the still or stills which shall cease to be worked, as aforesaid, and an abatement of duty shall be made on such last mentioned still or stills only: and which shall and may be set off against any duty to which such distiller or distillers, or maker or makers of spirits, shall be liable to pay by virtue of this act, in respect of such still or stills, as he, she, or they shall continue to work after the time limited as aforesaid.

VII. Provided always, and be it further enacted, That this act may be varied, altered, or repealed by any act or acts to be made altered, or repealed, this session of parliament.

C A P. XVIII.

An act for altering certain rates of postage for conveyance of letters in England and Scotland respectively, and of packets to and from Great Britain, from and to Portugal and the British colonies in America respectively; and for setting apart at the receipt of the exchequer, for a certain period, out of the revenues of the post office, the annual sum of forty thousand pounds, towards defraying the increased charge occasioned by any loan raised, or stock created, by any act or acts passed in the thirty-fifth year of the reign of his present Majesty.—[December 28, 1796.]

Most gracious Sovereign,

Preamble.

WHEREAS it is expedient that certain rates of postage established by an act of the ninth year of the reign of her late majesty Queen Anne, and by two several acts of the fifth and twenty-fourth years of your Majesty's reign, should be repealed: we, your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, as well for the purposes aforesaid, as towards raising the necessary supplies to defray your Majesty's publick expences, and making a permanent addition to the publick revenue, have freely and voluntarily resolved to give and grant unto your Majesty the rates and duties herein-after mentioned: and do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That so much of an act, made in the ninth year of the reign of her late majesty Queen Anne, intituled, *An act for establishing a general post office for all her Majesty's dominions, and for settling a weekly sum out of the revenues thereof, for the service of the war, and other her Majesty's occasions;* and so much of an act, made in the fifth year of your most gracious Majesty's reign, intituled, *An act to alter certain rates of postage; and to amend, explain, and enlarge, several provisions in an act made in the ninth year of Queen Anne, and in other acts relating to the revenue of the post office;* and also so much of another act, passed in the twenty-fourth year of your most gracious Majesty's reign, intituled, *An act for granting to his Majesty certain additional rates of postage for conveyance of letters and packets, by the post, within the kingdom of Great Britain; for preventing frauds in the revenue, carried on by the conveyance of certain goods in letters and packets; and for further preventing frauds and abuses in relation to the sending and receiving of letters and packets free from postage,* as establishes certain rates or sums for the port and conveyance of letters and packets within that part of the kingdom of Great Britain called England, the dominion of Wales, and the town of Berwick upon Tweed, shall, from and after the fifth day of January one thousand seven hundred and ninety-seven, be, and the same are hereby repealed.

II. And be it further enacted, That, from and after the said fifth day of January one thousand seven hundred and ninety-seven, it shall and may be lawful to and for his Majesty's postmaster general, and his deputy and deputies by him thereunto sufficiently authorised, to and for the use of his Majesty, his heirs and successors, to demand, have, receive, and take, for the port and conveyance of all letters and packets which he shall convey, carry, or send post, within that part of Great Britain aforesaid, according to the several rates and sums herein-after mentioned, the same being rated by the letter or by the ounce; that is to say,

For the port and conveyance of every single letter so conveyed or carried by the post, not exceeding fifteen measured miles from

From Jan. 5.
1797, so much
of 9 Annz, c.
20;

5 Geo. 3.
c. 25. and
23. Geo. 3;
sess. 2. c. 37.
as establishes
certain rates
of postage in
England,
Wales, and
Berwick upon
Tweed, re-
pealed, and

the following
rates to be
taken:

rates.

the office where such letter may be put in, to the office where such letter may be delivered, within that part of *Great Britain* as aforesaid, the sum of three-pence; for every double letter six-pence; for every treble letter nine-pence; and for every ounce in weight one shilling; and so in proportion for every other letter or packet of greater weight than an ounce:

For the port and conveyance of every single letter conveyed or carried by the post above fifteen measured miles, and not exceeding thirty measured miles from the office where such letter may be put in, to the office where such letter may be delivered, within that part of *Great Britain* as aforesaid, the sum of four-pence; for every double letter eight-pence; for every treble letter one shilling; and for every ounce in weight one shilling and four-pence; and so in proportion for every other letter or packet of greater weight than an ounce:

For the port and conveyance of every single letter conveyed or carried by the post above thirty measured miles, and not exceeding sixty measured miles from the office where such letter may be put in, to the office where such letter may be delivered, within that part of *Great Britain* as aforesaid, the sum of five-pence; for every double letter ten-pence; for every treble letter one shilling and three-pence; and for every ounce in weight one shilling and eight-pence; and so in proportion for every other letter or packet of greater weight than an ounce:

For the port and conveyance of every single letter conveyed or carried by the post above sixty measured miles, and not exceeding one hundred measured miles from the office where such letter may be put in, to the office where such letter may be delivered, within that part of *Great Britain* as aforesaid, the sum of six-pence; for every double letter one shilling; for every treble letter one shilling and sixpence; and for every ounce in weight two shillings; and so in proportion for every other letter or packet of greater weight than an ounce:

For the port and conveyance of every single letter conveyed or carried by the post above one hundred measured miles, and not exceeding one hundred and fifty measured miles from the office where such letter may be put in, to the office where such letter may be delivered, within that part of *Great Britain* as aforesaid, the sum of seven-pence; for every double letter one shilling and two-pence; for every treble letter one shilling and nine-pence; and for every ounce in weight two shillings and four-pence; and so in proportion for every other letter or packet of greater weight than an ounce:

And for the port and conveyance of every single letter conveyed or carried by the post one hundred and fifty measured miles, or upwards, from the office where such letter may be put in, to the office where such letter may be delivered, within that part of *Great Britain* as aforesaid, the sum of eight-pence; for every double letter one shilling and four-pence; for every treble letter two shillings; and for every ounce in weight two shillings

and eight-pence; and so in proportion for every other letter or packet of greater weight than an ounce.

The following additional rates to be taken for postage of letters in Scotland: rates.

III. And be it further enacted, That, from and after the said fifth day of January one thousand seven hundred and ninety-seven, it shall and may be lawful to and for his Majesty's postmaster general, and his deputy and deputies by him thereunto sufficiently authorised, over and above the rates of postage now payable, to demand, have, receive, and take, for the port and conveyance of all letters and packets which he shall convey, carry, or send post, within *Scotland*, the additional rate of postage herein-after mentioned; that is to say,

For the port and conveyance of every single letter one penny; for every doubled letter two-pence; for every treble letter three-pence; and for every ounce in weight four-pence; and so in proportion for every other letter or packet of greater weight than an ounce.

Rates established by first recited act to and from Portugal, and by the second to and from America, repealed.

The following rates to be taken for letters to and from Portugal.

Rates.

IV. And be it further enacted, That so much of the said act, made in the ninth year of the reign of her late majesty Queen Anne, as establishes rates of postage for letters from and to *London*, to and from *Portugal*; and so much of the said act, made in the fifth year of your most gracious Majesty's reign, as establishes rates of postage for letters from and to *London*, to and from the British dominions in *America*, shall, from and after the said fifth day of January one thousand seven hundred and ninety-seven, be, and the same are hereby repealed; and that, from and after the said fifth day of January one thousand seven hundred and ninety-seven, it shall and may be lawful to and for his Majesty's postmaster general, and his deputy and deputies by him thereunto authorised, to and for the use of his Majesty, his heirs and successors, to demand, have, receive, and take, for the port and conveyance of all and every the letters, packets, and other things, which shall be carried or conveyed from or to the kingdom of *Great Britain*, to or from the kingdom of *Portugal*, a packet postage according to the several rates herein-after mentioned; that is to say,

For all letters and packets, passing from any part of the kingdom of *Great Britain* to *Lisbon*, or to any other port in the kingdom of *Portugal*, and from any such port into *Great Britain*; for every single letter one shilling; for every double letter two shillings; for every treble letter three shillings; and for every ounce in weight four shillings; and so in proportion for every other letter or packet of greater weight than an ounce.

The following rates to be taken for letters to and from the British dominions in *America*.

V. And be it further enacted, That, from and after the said fifth day of January one thousand seven hundred and ninety-seven, it shall and may be lawful to and for his Majesty's postmaster general, and his deputy and deputies by him thereunto authorised, to and for the use of his Majesty, his heirs and successors, to demand, have, receive, and take, for the port and conveyance of all and every letters, packets, and other things, which shall be carried or conveyed from or to the kingdom of *Great Britain*, to or from any port within the British dominions in *America*, a packet

packet postage according to the several rates herein-after mentioned; that is to say,

For all letters and packets passing from any part of the kingdom of Great Britain, to any port within the British dominions in America, and from any such port into Great Britain; for every single letter one shilling; for every double letter two shillings; for every treble letter three shillings; and for every ounce in weight four shillings; and so in proportion for every other letter or packet of greater weight than an ounce.

VI. And be it further enacted, That over and above the rates aforesaid, all letters and packets passing to or from Portugal, or to that part of Great Britain as aforesaid, or to or from the British dominions in America, from or to that part of Great Britain as aforesaid, shall be charged with the full inland rate of land rates. Letters to or from Portugal or America with the chargeable postage hereby established, according to the distance such letters and packets shall be conveyed within England, the dominion of Wales, and town of Berwick upon Tweed, and with the full inland rate of postage now payable, together with the additional rate of postage hereby established, according to the distance such letters and packets shall be conveyed within Scotland.

VII. Provided always, and be it further enacted, That no letter or packet, together with the contents thereof, shall be rated at an higher rate of postage, according to the rates and duties hereby granted, than as a treble letter, unless the same shall be one ounce in weight; and that all letters and packets of the weight of one ounce, shall be rated as four single letters, and in proportion for every quarter of an ounce above the weight of an ounce, reckoning each quarter of an ounce as a single letter.

VIII. Provided also, and be it further enacted, That nothing herein contained shall increase or alter, or be construed to increase or alter, the amount or manner of charging the rates of postage upon single letters to be sent by the post by or to non-commissioned officers, seamen, and privates, on their own private concerns, whilst such non-commissioned officers, seamen, and privates, shall be employed in his Majesty's navy, army, militia, blithed by fencible regiments, artillery, and marines, made payable by an act passed in the thirty-fifth year of your most gracious Majesty's reign, intituled, *An act for further regulating the sending and receiving letters free from the duty of postage; for allowing non-commissioned officers, seamen, and private men, in the navy and army, whilst on service, to send and receive letters at a low rate of postage; and for permitting patterns and samples of goods to be transmitted by the post at an easier rate than is now allowed by law; any thing herein-before contained to the contrary thereof in anywise notwithstanding.*

IX. And be it further enacted, That, from and after the said fifth day of January one thousand seven hundred and ninety-seven, to the post of all and every the clauses, provisions, powers, privileges, advantages, disabilities, penalties, and methods, for the recovery of hereditages, by repealed or the same, and all other matters and things in force, at the time of passing this act, and contained in the said act, made in the

Provisions of acts relating to the post office, not heretofore altered, to continue in force.

ture, &c. to
be calculated
in the manner
herein speci-
fied.

assembled, and by the authority of the same, That, from and after the fifth day of January one thousand seven hundred and ninety-seven, the number of stamps required to be put on every skin or piece of vellum or parchment, or sheet or piece of paper, upon which any indenture, lease, bond, or other deed shall be engrossed, printed, or written, shall be calculated according to the number of common law sheets engrossed, printed, or written thereon, each common law sheet containing seventy-two words, in manner following; that is to say, Where the quantity of words engrossed, printed, or written, on any skin or piece of vellum or parchment, or sheet or piece of paper, shall not exceed fifteen such common law sheets, one stamp; and where the quantity or number of words engrossed, printed, or written thereon, shall amount unto thirty such common law sheets, two stamps; and so progressively one further stamp for every fifteen such common law sheets above the number of thirty such common law sheets contained therein: provided always, That if the quantity or number of words engrossed, printed, or written thereon, shall, after calculating in manner aforesaid every amount of fifteen common law sheets contained therein, exceed the number of such common law sheets so calculated by a less quantity of words than other fifteen such common law sheets, no further stamp shall be required for such excess above the number of common law sheets so calculated; and that in every such case the stamps required to be put on any such skin or piece of vellum or parchment, or sheet or piece of paper, on which any indenture, lease, bond, or other deed shall be engrossed, printed, or written, shall be of the same value or denomination respectively, and shall be such stamps which have been or shall be provided or directed to be used to denote the duties payable on such indenture, lease, bond, or other deed, according to the laws now in force, or hereafter to be in force.

Schedules to
be deemed
part of inden-
tures, &c.

II. And be it further enacted, That every schedule or other instrument annexed unto any indenture, lease, bond, or other deed and indorsement made thereon, shall, in estimating the number of stamps required by virtue of this act to be put thereon, be deemed as part of such indenture, lease, bond, or other deed; and the quantity or number of words contained therein shall be calculated as if the same were contained in such indenture, lease, bond, or other deed.

Any person
bringing in-
dentures not
duly stamped,
to be so
stamped, to
forfeit 20l.

III. And be it further enacted, That if any attorney, solicitor, clerk, officer, or other person, shall engross, print, or write, or cause to be engrossed, printed or written, any indenture, lease, bond, or other deed, on vellum, parchment, or paper, not duly stamped according to the directions of this act, and shall neglect to bring the same to be duly stamped in the manner and within the time hereby directed and allowed for stamping the same, every such attorney, solicitor, clerk, officer, or other person, shall forfeit and pay the sum of twenty pounds; and no such indenture, lease, bond, or other deed, shall be pleaded or given in evidence, or be good, useful, or available, in any manner whatever, unless the same shall be stamped as required by this act.

No indenture
available un-
- - - - - July

IV. And

IV. And be it further enacted, That every indenture, lease, bond, or other deed, which shall have been stamped with one stamp on every skin or piece of such vellum or parchment, or on every sheet or piece of such paper, before any matter or thing shall have been engrossed, printed, or written thereon, and shall not be stamped as by this act is directed, which shall be brought at any time before the execution thereof, or within the space of one calendar month after the date thereof, to the head office of the commissioners for managing the duties on stamped vellum, parchment, and paper, may be stamped as this act requires, on payment of the duty for the same; and that, upon bringing any indenture, lease, bond, or other deed, to be stamped as aforesaid, the officer appointed by the said commissioners shall calculate the duty payable thereon, and the number of stamps required by this act to be put thereon, and shall write in words at length upon the margin of each skin or piece of vellum or parchment, or particulars sheet or piece of paper, whereon the same shall be engrossed, printed, or written, the number of common law sheets contained therein, and the day on which such payment shall be made, and shall subscribe his name thereto; and in case the duty shall be so paid at the said head office, then the indenture, lease, bond, or other deed, so brought to be stamped, shall, on payment of the said duty, be stamped with such number of stamps as the case shall require; and in case the duty shall be so paid at any other office to be appointed by the said commissioners, the indenture, lease, bond, or other deed, whereon the duty so payable, and the number of words so contained therein shall have been calculated and written, shall be transmitted within the space of twenty-one days from the day of payment of such duty to the head office to be stamped, and the same shall be stamped accordingly with such number of stamps as the case shall require; and if the person paying such duty at any such office to be appointed as aforesaid, shall be desirous that the same shall be transmitted to the said head office by the officer to whom such duty shall be paid, and shall leave the same with such officer for such purpose, such officer shall, upon request, sign and deliver an acknowledgement that such indenture, lease, bond, or other deed, has been left with him for such purpose, and shall transmit such indenture, lease, bond, or other deed, to the said head office to be stamped as aforesaid, and the same shall be returned to such officer as soon as conveniently may be after the stamping thereof, and such officer shall deliver back the same to the person entitled thereto, upon re-delivery to him of the acknowledgement which he shall have given for the same, if any shall have been given.

V. Provided always, and be it further enacted, That it shall be lawful to carry any such indenture, lease, bond, or other deed, at any time within six calendar months after the date thereof, to the said head office to be stamped in like manner, paying the duty for the same, and also the further sum of ten pounds by way of penalty, and also to carry the same to the said head office to be stamped

Indentures, &c. may be stamp'd at the head office at payment of the duty and a penalty.

tur, &c. to
be calculated
in the manner
herein speci-
fied.

assembled, and by the authority of the same, That, from and after the fifth day of January one thousand seven hundred and ninety-seven, the number of Stamps required to be put on every skin or piece of vellum or parchment, or sheet or piece of paper, upon which any indenture, lease, bond, or other deed shall be engrossed, printed, or written, shall be calculated according to the number of common law sheets engrossed, printed, or written thereon, each common law sheet containing seventy-two words, in manner following; that is to say, Where the quantity of words engrossed, printed, or written, on any skin or piece of vellum or parchment, or sheet or piece of paper, shall not exceed fifteen such common law sheets, one stamp; and where the quantity or number of words engrossed, printed, or written thereon, shall amount unto thirty such common law sheets, two stamps; and so progressively one further stamp for every fifteen such common law sheets above the number of thirty such common law sheets contained therein: provided always, That if the quantity or number of words engrossed, printed, or written thereon, shall, after calculating in manner aforesaid every amount of fifteen common law sheets contained therein, exceed the number of such common law sheets so calculated by a less quantity of words than other fifteen such common law sheets, no further stamp shall be required for such excess above the number of common law sheets so calculated; and that in every such case the stamps required to be put on any such skin or piece of vellum or parchment, or sheet or piece of paper, on which any indenture, lease, bond, or other deed shall be engrossed, printed, or written, shall be of the same value or denomination respectively, and shall be such stamps which have been or shall be provided or directed to be used to denote the duties payable on such indenture, lease, bond, or other deed, according to the laws now in force, or hereafter to be in force.

Schedules to
be deemed
part of inden-
tures, &c.

II. And be it further enacted, That every schedule or other instrument annexed unto any indenture, lease, bond, or other deed and indorsement made thereon, shall, in estimating the number of stamps required by virtue of this act to be put thereon, be deemed as part of such indenture, lease, bond, or other deed; and the quantity or number of words contained therein shall be calculated as if the same were contained in such indenture, lease, bond, or other deed.

Any person
bringing in-
dencies not
duly stamped,
to be so
stamped, to
forfeit 20l.

III. And be it further enacted, That if any attorney, solicitor, clerk, officer, or other person, shall engross, print, or write, or cause to be engrossed, printed or written, any indenture, lease, bond, or other deed, on vellum, parchment, or paper, not duly stamped according to the directions of this act, and shall neglect to bring the same to be duly stamped in the manner and within the time hereby directed and allowed for stamping the same, every such attorney, solicitor, clerk, officer, or other person, shall forfeit and pay the sum of twenty pounds; and no such indenture, lease, bond, or other deed, shall be pleaded or given in evidence, or be good, useful, or available, in any manner whatever, unless the same shall be stamped as required by this act.

No indenture
available un-
less duly
stamped.

IV. And

IV. And be it further enacted, That every indenture, lease, bond, or other deed, which shall have been stamped with one stamp on every skin or piece of such vellum or parchment, or on every sheet or piece of such paper, before any matter or thing shall have been engrossed, printed, or written thereon, and shall not be stamped as by this act is directed, which shall be brought at any time before the execution thereof, or within the space of one calendar month after the date thereof, to the head office of the commissioners for managing the duties on stamped vellum, parchment, and paper, may be stamped as this act requires, on payment of the duty for the same; and that, upon bringing any indenture, lease, bond, or other deed, to be stamped as aforesaid, the officer appointed by the said commissioners shall calculate the duty payable thereon, and the number of stamps required by this act to be put thereon, and shall write in words at length upon the margin of each skin or piece of vellum or parchment, or sheet or piece of paper, whereon the same shall be engrossed, printed, or written, the number of common law sheets contained therein, and the day on which such payment shall be made, and shall subscribe his name thereto; and in case the duty shall be so paid at the said head office, then the indenture, lease, bond, or other deed, so brought to be stamped, shall, on payment of the said duty, be stamped with such number of stamps as the case shall require; and in case the duty shall be so paid at any other office to be appointed by the said commissioners, the indenture, lease, bond, or other deed, whereon the duty so payable, and the number of words so contained therein shall have been calculated and written, shall be transmitted within the space of twenty-one days from the day of payment of such duty to the head office to be stamped, and the same shall be stamped accordingly with such number of stamps as the case shall require; and if the person paying such duty at any such office to be appointed as aforesaid, shall be desirous that the same shall be transmitted to the said head office by the officer to whom such duty shall be paid, and shall leave the same with such officer for such purpose, such officer shall, upon request, sign and deliver an acknowledgement that such indenture, lease, bond, or other deed, has been left with him for such purpose, and shall transmit such indenture, lease, bond, or other deed, to the said head office to be stamped as aforesaid, and the same shall be returned to such officer as soon as conveniently may be after the stamping thereof, and such officer shall deliver back the same to the person entitled thereto, upon re-delivery to him of the acknowledgement which he shall have given for the same, if any shall have been given.

V. Provided always, and be it further enacted, That it shall be lawful to carry any such indenture, lease, bond, or other deed, at any time within six calendar months after the date thereof, to the said head office to be stamped in like manner, paying the duty for the same, and also the further sum of ten pounds by way of penalty, and also to carry the same to the said head office to be stamped

Blank indentures, &c. which have been stamp'd, but not according to this act, may be properly stamp'd within a limited time. Officer to calculate the duty on indentures, &c. and write on them certain particulars.

On payment of duty at the head office, indentures, &c. to be stamp't; and at other offices, indentures, &c. to be transmitted to the head office within 21 days for that purpose. Officer receiving duty to acknowledge receipt of indentures, &c. for transmission, &c.

stamped in like manner at any time after the expiration of the said six months, on payment of the duty for the same, and also the further sum of ten pounds for every skin, or piece of vellum or parchment, or sheet or piece of paper, whereon such indenture, lease, bond, or other deed or matter or thing aforesaid, shall be engrossed, printed, or written, by way of penalty for not having before caused the same to be duly stamped according to the directions of this act.

In actions brought for engrossing indentures, &c. contrary to this act, and not brought to be stamp'd within a month after date, the plaintiff to recover though afterwards stamp't.

Penalty of 100l. for adding to indentures, &c. after the duty has been calculated, and before stamp't, &c.

All acts relating to stamp duties, not hereby altered, to be applied to this act.

Application and recovery of penalties sued for in four months.

VI. Provided always, and be it further enacted, That where any action shall be commenced against any person for engrossing, printing, or writing, any indenture, lease, bond, or other deed, contrary to the directions of this act, which shall not be brought to the said head office to be stamped within one calendar month after the date thereof, and such action shall be prosecuted with effect, the same shall not be delayed, prejudiced, defeated, or barred, by reason of the payment of any duty or penalty on stamping the same, or of the same being stamped after the commencement of such action, but that the plaintiff or plaintiffs therein shall be entitled to recover as if such duty and penalty had not been paid, or such stamp or stamps had not been put thereon after the commencement of such action.

VII. And be it further enacted, That if any person shall add any word in any such indenture, lease, bond, or other deed, after the officer to be appointed by the said commissioners shall have calculated the duty payable thereon, and before the same shall be duly stamped, according to the directions of this act, or shall alter any word or letter in any writing hereby required to be made, by the officer to be appointed by the said commissioners, on the margin of such indenture, lease, bond, or other deed, after such officer shall have signed the same according to the directions of this act, or shall knowingly utter or publish as true any such indenture, lease, bond, or other deed, with such word added thereto, or any such altered writing, with intent to defraud his Majesty, his heirs or successors, or any other person or persons, then and in such case every person so adding, altering, uttering, or publishing as aforesaid, shall forfeit and pay the sum of one hundred pounds.

VIII. And be it further enacted, That all powers, proviso's, articles, clauses, allowances, and all matters and things prescribed or appointed by any former act or acts of parliament relating to the stamp duties on vellum, parchment, and paper, and not hereby altered, shall be of full force and effect, with relation to the several matters and things by this act prescribed or directed, and shall be applied and put in execution for the enforcing the regulations of this act, as fully and effectually, to all intents and purposes, as if the same had severally and respectively been hereby re-enacted.

IX. And be it further enacted, That one moiety of all pecuniary penalties and forfeitures hereby imposed shall, if sued for within the space of four calendar months from the time of such penalties or forfeitures being incurred, be to his Majesty, his heirs

heirs and successors, and the other moiety thereof, with full costs of suit, to the person or persons who shall inform or sue for the same within the time aforesaid; and which shall and may be sued for in his Majesty's court of exchequer at Westminster, for offences committed in *England*, or in his Majesty's court of exchequer in *Scotland* for offences committed in *Scotland*, by action of debt, bill, plaint, or information, wherein no escoin, privilege, wager of law, nor more than one imparlance shall be allowed; but nevertheless it shall be lawful for his Majesty's attorney general in *England*, or his Majesty's advocate in *Scotland*, in case it shall appear to his satisfaction that any such penalty or forfeiture was incurred without any intention of fraud, to stay all further proceedings, by entering a *noli prosequi*; or otherwise, with respect as well to the share of such penalty or forfeiture claimed by such informer or informers, as to the share thereof belonging to his Majesty.

X. Provided always, and be it further enacted, That in default of prosecution within the time herein-before limited, no such penalty or forfeiture shall be afterwards recoverable, except in the name of his Majesty's attorney general in *England*, and of his Majesty's advocate in *Scotland*, by information in the courts of exchequer in *England* and *Scotland* respectively; and in every case where such information shall be prosecuted as aforesaid, the whole of such penalty or forfeiture shall belong to his Majesty, his heirs and successors; and that all penalties and forfeitures, and shares of penalties and forfeitures, incurred as aforesaid, belonging to his Majesty, his heirs or successors, shall be paid into the hands of his Majesty's receiver general of stamp duties for the time being, any law, usage, or custom, to the contrary notwithstanding; and that, in any case where the whole of such penalties or forfeitures shall be recovered, to the use of his Majesty, his heirs or successors, it shall be lawful for the said commissioners to cause such reward as they shall think fit, not exceeding one moiety of the penalties or forfeitures so recovered, after deducting all charges and expenses incurred in recovering the same, to be paid thereout, to or amongst any person or persons who shall appear to them entitled thereto, as an informer or informers, in respect of such penalties or forfeitures so recovered; any thing herein contained to the contrary notwithstanding.

XI. And be it further enacted, That, from and after the passing of this act, out of the monies that shall be paid into the receipt of his Majesty's exchequer, of the duties imposed by any former acts of parliament, on every skin or piece of vellum or parchment, or sheet or piece of paper, upon which any indenture, lease, bond, or other deed, shall be engrossed, printed, or written, in pursuance of any such act or acts, or any other act or acts of parliament, or any of them, the sum of thirty-nine thousand one hundred and fifty-one pounds and five shillings, being one-fourth part of the sum of one hundred and fifty-six thousand six hundred and five pounds, the annual average produce for three years, ending the first day of *August* one thousand seven hundred and ninety-four, of the whole of the said duties, shall quarterly, on the fifth day of *April*, the

Where penalties appear to have been incurred without fraud, proceedings may be stopped.

Penalties to his Majesty to be paid to the receiver general of stamp duties.

Informers may be rewarded out of penalties to his Majesty.

Application of duties on indentures, &c. under former acts.

Anno regni tricesimo septimo GEORGII III. c. 20. [1796.]
 the fifth day of July, the tenth day of October, and the fifth day of January, in every year, during the period of ten years, be set apart from the remainder of the said monies; and that after setting apart at the said receipt of exchequer, at the end of each such quarter, the sum of thirty-nine thousand one hundred and fifty-one pounds and five shillings, the said remainder of the said monies arising, or to arise, of the said several duties imposed by the said former acts, or so much thereof as shall be sufficient, shall be deemed an addition made to the revenue, for the purpose of defraying the increased charges occasioned by any loan made, or to be made, or any stock to be created, by virtue of any act or acts passed, or to be passed, in this session of parliament; and that the said monies shall, during the space of ten years next ensuing, be paid into the said receipt distinctly and apart from all other branches of the publick revenue; and that there shall be provided and kept at the office of the auditor of the said receipt, during the said period of ten years, a book or books, in which the said remainder of the monies arising from the said duties, and paid into the said receipt, shall, together with the monies arising from any other rates or duties granted in this session of parliament, for the purpose of defraying such increased charges as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, on any account whatever.

Recited act
in part re-
pealed.

XII. And be it further enacted, That so much of the said act passed in the nineteenth year of the reign of his present Majesty, as relates to the engrossing, printing, or writing, on any skin of vellum or parchment, or sheet or piece of paper, any indenture, lease, bond, or other deed, or to any of the matters for which provision is made by this act, shall be, and is hereby repealed.

C A P. XX.

An act for extending the time limited by an act of this session, for delivering in navy, victualling, transport, and exchequer bills. — [December 28, 1796.]

Preamble.
Act of present
session, c. 9,
recited;

WHEREAS, by an act made in this present session of parliament, intituled, An act for granting annuities to satisfy certain navy, victualling, transport, and exchequer bills; all persons interested in or entitled unto certain navy, victualling, transport and exchequer bills, in the said act mentioned, were enabled at any time, on or before the eleventh day of November one thousand seven hundred and ninety-six, to subscribe the said bills in the manner directed by the said act: and whereas it is necessary to give further time to such persons as have been prevented from subscribing their navy, victualling, transport, and exchequer bills, within the time beforementioned: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons in this present parliament assembled, and by and the navy, the authority of the same, That the officers of the navy, victualling, transport, and exchequer bill offices, and the treasurer of his Majesty's

jeſt's navy, or his paymaster or cashier, and the paymasters of and exchequer exchequer bills, at any time or times before the thirty-first day of December one thousand seven hundred and ninety-six, shall, and be and they is and are hereby authorised, empowered, and required to accept and take in, from any person or persons, any such navy, victualling, transport, and exchequer bills, as shall be offered to them, and to compute the interest, and mark the same, and to make forth such certificate or certificates as are directed by the said act; and the governor and company of the bank of England are hereby authorised and empowered to give credit for such stock and annuities as such person or persons would have been entitled to in respect of such bills, in case such bills had been delivered into such office or offices, on or before the said eleventh day of November one thousand seven hundred and ninety six.

31, 1796, &c.

C A P. XXI.

An act authorising his Majesty, for a limited time, to make regulations respecting the trade and commerce to and from the Cape of Good Hope.—[December 28, 1796.]

W H E R E A S the castle, town, and settlement, of the Cape of Good Hope, with the territories and dependencies thereof, are now in the possession of his Majesty; and it is expedient under the present circumstances, that the trade and commerce to and from the same should be regulated for a certain time, in such manner as shall seem proper to his Majesty, by and with the advice of his privy council, notwithstanding the special provisions of any act or acts of parliament that may be construed to affect the same; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, and until the expiration of six weeks from the commencement of the next session of parliament, it shall and may be lawful for his Majesty, by and with the advice of his privy council, by any order or orders to be issued from time to time, to give such directions, and make such regulations, touching the trade and commerce to and from the said settlement, and the territories and dependencies thereof, as to his Majesty in council shall appear most expedient and salutary, any thing contained in an act, passed in the twelfth year of the reign of his majesty King Charles the Second, intituled, *An act for the encouraging and increasing of shipping and navigation;* or in an act passed in the seventh and eighth years of the reign of his majesty King William the Third, intituled, *An act for preventing frauds, and regulating abuses in the plantation trade;* or any other act or acts of parliament now in force relating to his Majesty's colonies and plantations, or any other act or acts of parliament, law, usage, or custom, to the contrary in anywise notwithstanding.

His Majesty in
privy council
may make re-
gulations re-
specting the
trade and
commerce to
and from the
Cape of Good
Hope.

II. And be it further enacted, That if any goods, wares, or Goods, &c. merchandize imported or

exported contrary to orders in council, forfeited, &c. merchandize whatever, shall be imported into, or exported from, any place or places, part of the said settlement, or its territories or dependencies, or shall be exported from any part of his Majesty's dominions to any of the said places; or if any goods, wares, or merchandize, shall be so imported or exported in any manner whatever, contrary to any such order or orders of his majesty in council, the same shall be forfeited, together with the ship or vessel in which such goods, wares, or merchandize shall respectively be imported or exported, with all her guns, ammunition, furniture, tackle, and apparel, and every such forfeiture shall and may be sued for, prosecuted, and recovered by such and the like ways, means, and methods, as any forfeiture incurred by any law respecting the revenue of customs may be sued for, prosecuted, and recovered, in places where respectively the offences shall be committed, and the produce thereof shall be disposed of, paid, and applied, in like manner, in the said places respectively; any law, custom, or usage, to the contrary in anywise notwithstanding: provided always, That nothing herein contained shall in any manner be construed to infringe the rights, privileges, and advantages, belonging to the united company of merchants of England trading to the East Indies.

Act not to infringe the rights of the East India company.

C A P. XXII.

An act to explain and amend an act, made in this present session of parliament, intituled, An act for providing an augmentation to the militia, to be trained and exercised in the manner therein directed, and for enabling his Majesty to cause the same to be embodied, in case of necessity, for the defence of these kingdoms.—[December 30, 1796.]

Preamble, reciting act of present session
c. 3.

Justices may carry the said act into execution, as any other relating to the militia.

Where deputy lieutenants are em-

WHEREAS it is expedient that an act, passed in the present session of parliament, intituled, An act for providing an augmentation to the militia, to be trained and exercised in the manner therein directed, and for enabling his Majesty to cause the same to be embodied, in case of necessity, for the defence of these kingdoms, should be explained and amended, in the particulars after mentioned: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the justices of the peace for any county, riding, division, or place, within their respective jurisdictions, shall have and are hereby vested with full power and authority, to carry the said act into execution, in the like manner and as fully and effectually as they are authorised to carry into execution an act passed in the twenty-sixth year of the reign of his present Majesty, intituled, An act for amending and reducing into one act of parliament, the laws relating to the militia in that part of Great Britain called England, or any other act relating to the militia; and that in all cases where deputy lieutenants are empowered by the said act passed in the present session of parliament

ment, or this act, to act in the execution thereof at any subdivision meeting, any justice of the peace of the same county, riding, or place, together with one deputy lieutenant, may execute the several matters and things required to be done at such meeting, as effectually as two or more deputy lieutenants of such county, riding, or place.

II. And be it further enacted That, so much of the said act of the present session of parliament as requires every person, previously to his being enrolled, or permitted to serve, in the supplementary militia of any county, riding or place, to swear that he is a Protestant, shall be and is hereby repealed; and that it shall be lawful for the person or persons authorised to administer the oath prescribed by the said act of the present session of parliament, and he and they is and are hereby required in every case in administering the same, to omit the following words, *videlicet*: 'And I do swear, that I am a Protestant.'

III. And be it further enacted, That if in any county, riding, or place, or in any sub-division thereof, it shall have happened that the lieutenants, deputy lieutenants, justices of the peace, constables, or other peace officers, have omitted to put the said act of the twenty-sixth year aforesaid, into execution, by reason that a due return of the annual lists of men liable to be ballotted into the militia raised by virtue of the said last mentioned act was not made, or not ordered to be made, on the day or in the manner directed by the said last mentioned act, so that the said act, passed in the present session of parliament, cannot be duly executed for want of such returns; or if such lieutenants, deputy lieutenants, or justices of the peace respectively, have omitted to put the act of the present session into execution, by neglecting to make out duplicates of such lists which have been returned to them, according to the said last mentioned act, or have been prevented from making out the same, it shall and may be lawful for the lieutenants, deputy lieutenants, and justices of the peace respectively, to execute the powers contained in the said act passed in the present session of parliament at any meeting to be held after the passing of this act, whether the purposes to be executed at such meeting shall have relation to the militia raised under the said act of the twenty-sixth year aforesaid, and to the said supplementary militia to be raised under the said act of the present session, jointly, or to either of the said acts separately, or to meet for that purpose at any other time or times after the passing of this act, and from time to time, as there shall be occasion; and they are hereby respectively authorised and required, as soon as conveniently may be, to meet and to execute the powers contained in the said act passed in the present session, in such manner that the said supplementary militia may be raised without delay: and it shall be lawful for such deputy lieutenants and justices so met, to proceed to execute the said act on the returns already made for the purposes aforesaid; or where no such returns shall have been made, or the same shall have been lost or destroyed, to order fresh lists to be made out and returned, as Deputy lieutenants, &c. may proceed on returns already made, or where none are made, &c.

may order fresh ones to be made out; and where exemptions have been erroneously allowed, may amend lists, and direct fresh ballots to be taken, &c.

Lieutenants, &c. who have omitted to act, or have acted erroneously indemnified.

In actions brought against persons hereby indemnified, the general issue may be pleaded.

there shall be occasion; and where lists have been returned, and any exemption shall have been claimed, and erroneously, or contrary to this act, allowed, it shall be lawful for the said deputy lieutenants and justices respectively, and they are hereby required to amend the duplicate of such lists, according to the true intent and meaning of the said act of the present session of parliament, and of this act; and (where there shall be occasion) to order and direct a fresh ballot to be taken; and all acts which might lawfully have been done at any meeting held on the days mentioned in the said act of the twenty-sixth year aforesaid, and which shall have been done at any other meeting held under the said act, shall be as valid and effectual as if the same acts had been done on the days and in the manner directed by the said acts, or either of them; and all such meetings to be held after the passing of this act, for the purpose of carrying into effect the proceedings of former meetings, or of supplying any defect or omission in such proceedings, or of rectifying the same, or of further carrying the said act of the present session into execution, and all acts to be done at such meetings to be held after the passing of this act, pursuant in all respects to the directions of the said acts, or either of them (except as to the time of doing the same), shall be, and are hereby declared to be valid and effectual, notwithstanding any such former defect, omission, or error as aforesaid; and all lieutenants, deputy lieutenants, and justices of the peace, who have omitted to carry, or have been hindered from carrying the said act of the present session into execution, according to the directions thereof, or shall have executed the same erroneously, by allowing any exemption contrary to the intent thereof, or of this act, and who shall at any other time or times have met and executed the same, or who shall meet and execute the same according to the directions of this act, shall be and are hereby indemnified, freed, and discharged, from and against all penalties and damages, and against all actions and prosecutions whatsoever, incurred or to be incurred by reason of any neglect, omission, or hindrance as aforesaid; and all constables and other officers are hereby also indemnified, freed, and discharged, from all penalties and damages, and against all actions and prosecutions incurred or to be incurred for any act done or to be done by them in pursuance of any order or orders of the lieutenants, deputy lieutenants, or justices of the peace, made or to be made pursuant in all other respects to the directions of the said acts, except as to the time of making the same; and none of his or their acts shall be questioned or avoided by reason of the same respectively.

IV. And be it further enacted, That in case any action, suit, bill of indictment or information, shall, from and after the passing of this act, be brought, carried on, or prosecuted, against any person or persons hereby meant or intended to be indemnified for or on account of any penalty or damages incurred or to be incurred for any omission or neglect before mentioned, or for any act done in pursuance of this act, such person or persons may plead the general

al issue, and upon their defence give this act and the special matter in evidence upon any trial to be had thereupon.

V. And be it further enacted, That if in any county, riding, or place, a sufficient number of officers, duly qualified according to the said acts, shall not be appointed to commissions in the supplementary militia to be raised for the said county, riding, or place, on or before the thirtieth day of January one thousand seven hundred and ninety-seven, it shall be lawful for the lieutenant and deputy lieutenants respectively, (and they are hereby required, as soon as conveniently may be), to appoint a sufficient number of such other persons, as are described in the said act of the present session, to be officers in the said supplementary militia, subject to the approbation of his Majesty, and in the manner therein directed.

VI. And be it further enacted, That if it shall appear to the lieutenant, or any three or more deputy lieutenants, at any time before the fifteenth day of January one thousand seven hundred and ninety-seven, that a sufficient number of non-commissioned officers, drummers, or private men, cannot conveniently be spared from the regiment, battalion, or company of militia serving for any county, riding, or place, to train and exercise the said supplementary militia to be raised by virtue of the said act of the present session as aforesaid, for such county, riding, or place, it shall be lawful for the lieutenant and deputy lieutenants respectively, and he and they is and are hereby required to appoint, for that purpose, such number of men from and amongst the persons put or to be put on the establishment of *Chester* hospital, as shall be certified to him or them, by the secretary at war for the time being, to be fit and proper persons for such service; and any deficiency of non-commissioned officers, drummers, or privates, remaining after such appointments, may be supplied by any persons who shall have served as non-commissioned officers, drummers, or privates, in his Majesty's army, or in the militia, and have been discharged therefrom, or such other persons as the said lieutenant and deputy lieutenants respectively shall judge to be proper for that service and shall appoint; and any person so to be appointed shall be entitled to the same pay during such service as non-commissioned officers, drummers, and private men, serving in the supplementary militia, would be entitled to by virtue of such appointment according to the said act, over and above any other pay, emolument, or allowance, to which they or any of them may be respectively entitled.

VII. And be it further enacted, That the powers given by the said act of the present session to the lieutenant and deputy lieutenants of any county, riding or place, to quarter and billet the supplementary militia to be raised by virtue of the said act, shall not restrain or be construed to restrain justices of the peace of counties, ridings, or places, mayors, bailiffs, constables, tythingmen, headboroughs, and other chief magistrates and officers of cities, towns, parishes, tythings, and places, from quartering and billeting the said supplementary militia; but that all such magistrates

the supplementary militia, and if less than the number appointed by the act of the present session, the surplus shall be discharged, &c.

present Majesty; and where the number of supplementary militia men, so fixed by his Majesty's privy council, shall be less than the number of such militia men who are by the said act of the present session of parliament appointed to serve for any county, riding, or place, then and in every such case the general meeting of lieutenancy for such county, riding, or place, assembled for that purpose, in case the said supplementary militia shall have been raised for such county, riding, or place, shall discharge, by ballot, proportionally out of each respective hundred, rape, lath, wapentake, or other division, so many militia men as shall exceed the number so fixed and settled as aforesaid; and in case the said supplementary militia shall not have been raised for such county, riding, or place, then the said general meeting of lieutenancy shall make an apportionment of the number of men to be raised in each hundred, rape, lath, wapentake, or division, within such county, riding, or place, according to the number of men so fixed and settled by his Majesty's privy council as aforesaid; and the deputy lieutenants of the respective sub-divisions within such county, riding, or place, shall ballot for such number of men only as shall be so fixed and settled as aforesaid.

XVI. And whereas at the time of passing the said act of the present session, no return had been or yet is made for the town of Birmingham in the county of Warwick, of the number of men liable to serve in the said supplementary militia for the said town: be it further enacted, That as soon as a return shall be made to his Majesty's privy council, of the number of men liable to serve for the said town of Birmingham, in the said supplementary militia (which return the lieutenant of the said county of Warwick is hereby required to make as soon as conveniently may be), it shall and may be lawful for his Majesty's privy council, and they are hereby required forthwith to fix and settle, as near as may be, the number of men who shall serve in the said supplementary militia for the said town of Birmingham, and which number so to be fixed shall not bear a greater proportion to the number of persons contained in such returns than shall be necessary to bring the number of men now serving for the town of Birmingham in the militia for the county of Warwick, and the number so to be fixed for the said supplementary militia, in the whole to the proportion as near as may be of one for every six persons contained in the said returns so to be made for the said town of Birmingham, and to transmit accounts of the number so fixed and settled to the lieutenant of the said county of Warwick for the time being.

Officers executing act to receive such rewards as the quarter sessions shall judge proper, payable out of the county rates.

XVII. And be it further enacted, That the respective clerks of the general sub-division meetings of lieutenancy, constables, and other officers, who are hereby respectively required to execute the said act passed in this session of parliament, or this act, in any of the particulars therein or herein mentioned, and who shall respectively execute the same to the satisfaction of the justices of the peace at their respective quarter sessions assembled within the said counties, ridings, and places, therein mentioned, shall have and receive such rewards, and no other, for their care and

and trouble in and about the executing the said act of the present session of parliament and this act, and for their respective expences and charges in the same, as the justices shall judge the said officers to have deserved; and the said justices shall, after allowance thereof, direct the same to be paid by the treasurer, or other officer of such county, riding, or place, out of any money in his hands of the county rates; and if such treasurer or officer shall not have sufficient money in his hands, of the county rates, to pay the same, then such justices shall, and are hereby authorised and required to make a rate for the payment of the same, in such manner and form as they are authorised by law to make rates for the repair of gaols or county bridges, or any other purposes for which the rate commonly called *The County Rate*, is or may by law be applicable.

XVIII. And be it further enacted, That the provisions of an act passed in the twenty-fourth year of the reign of his late ma- 24 Geo. 2.
jesty King George the Second, intituled, *An act for the rendering C. 44. to
justice of the peace more safe in the execution of their office, and for
indemnifying constables and others acting in obedience to their warrants,* and extend to lieutenants, and deputy lieutenants.

shall extend to all his Majesty's lieutenants, and to all deputy lieutenants, acting in the execution of this act, or the said act of the present session, in like manner and as fully and effectually as the same extend to justices of the peace acting in the execution of their office.

XIX. And be it further enacted, That no order or conviction made by any lieutenant of any county, riding, or place, or by any two or more deputy lieutenants, or by any one deputy lieutenant, together with any one justice of the peace, or by any justice or justices of the peace by virtue of the said act of the present session, or this act, shall be removed by *Certiorari* out of the county, riding, division, city, town, or place, wherein such order or conviction was made, into any court whatsoever; and that no writ of *Certiorari* shall supersede execution or other proceedings upon any such order or conviction so made in pursuance of the said act of the present session, or of this act; but that execution and other proceedings shall be had and made thereupon, any such writ or writs, or allowance thereof, notwithstanding.

XX. And be it further enacted, That all and every the provisions of this act shall, in the execution of the said act passed in the present session of parliament, be used and applied, and construed, in like manner as if the same provisions were specially enacted in the said act; and all and every the provisions of the said act shall, in the execution of this act, be used, applied, extended, and construed, in like manner as if the same provisions were specially enacted in this act.

XXI. Provided always, and be it further enacted, That this act may be altered, varied, or repealed, by any act or acts to be made in this session of parliament.

The provi-
sons of this and
recited act of
the present
session, to be
used in exe-
cution of
either.

Act may be
altered or re-
pealed this
session.

C A P. XXIII.

An act to explain and amend an act, made in this present session of parliament, intituled, An act for enabling his Majesty to raise a provisional force of cavalry, to be embodied, in case of necessity, for the defence of these kingdoms.—[December 30, 1796.]

Preamble, reciting act of the present session, c. 6.

WHEREAS it is expedient that an act, passed in the present session of parliament, intituled, An act for enabling his Majesty to raise a provisional force of cavalry, to be embodied, in case of necessity, for the defence of these kingdoms, should be explained and amended, in the particulars herein-after mentioned: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That no person shall be exempt from the service mentioned in the said act, by reason of his or her having been an articled clerk or apprentice, unless the articles or indentures under which such person shall be bound shall have been executed on or before the twentieth day of October one thousand seven hundred and ninety-six, and unless such person shall be actually serving under such articles or indentures at the time of his or her claiming such exemption.

II. And be it further enacted, That so much of the said act, passed in the present session, as exempts any teacher of a private congregation from the service required by the said act, shall be and is hereby repealed: and that no licensed teacher to any separate congregation, shall be liable to the service required by the said act, who shall not be charged to the said duties on horses for more than one horse, mare, or gelding.

III. And be it further enacted, That if any person not charged to any of the duties on horses for more than three horses, mares, or geldings, shall have served or been entered in any volunteer corps of cavalry, raised by virtue of an act, passed in the thirty-fourth year of the reign of his present Majesty, intituled, *An act for encouraging and disciplining such corps or companies of men as shall voluntarily enrol themselves for the defence of their counties, towns, or coasts, or for the general defence of the kingdom, during the present war*, or who shall enter or offer himself, and be accepted before the fifteenth day of January one thousand seven hundred and ninety-seven, to serve in any such corps raised or to be raised by virtue of the said act, before the fifteenth day of January one thousand seven hundred and ninety-seven, or such other day to which the ballot, within any sub-division of a county, riding, or division, shall be postponed by his Majesty's privy council, in the manner herein-after directed; and if such person shall, at his own expence, furnish a mare or gelding for the said service, in such corps, then such person shall not be liable to be classified, or to provide any man, or furnish any mare or gelding, in pursuance of the said act of the present session, in respect of such horses, mares,

No articled clerk or apprentice exempt from service, unless bound on or before Oct. 10, 1796, and serving when exemption is claimed.

No licensed teacher of a separate congregation liable to service, who is not charged to the duties on horses for more than one.

Persons not charged to the duties on horses for more than three, serving in the cavalry raised under 34 Geo. 3. c. 31. or who shall be accepted to serve by a limited time, not to be classified under recited act for such horses; but if any such person charged for

and trouble in and about the executing the said act of the present session of parliament and this act, and for their respective expences and charges in the same, as the justices shall judge the said officers to have deserved; and the said justices shall, after allowance thereof, direct the same to be paid by the treasurer, or other officer of such county, riding, or place, out of any money in his hands of the county rates; and if such treasurer or officer shall not have sufficient money in his hands, of the county rates, to pay the same, then such justices shall, and are hereby authorised and required to make a rate for the payment of the same, in such manner and form as they are authorised by law to make rates for the repair of gaols or county bridges, or any other purposes for which the rate commonly called *The County Rate*, is or may by law be applicable.

XVIII. And be it further enacted, That the provisions of an act passed in the twenty-fourth year of the reign of his late ma- 24 Geo. 2.
jesty King George the Second, intituled, *An act for the rendering
justice of the peace more safe in the execution of their office, and for
indemnifying constables and others acting in obedience to their warrants,* and deputy lieutenants shall extend to all his Majesty's lieutenants, and to all deputy lieutenants, acting in the execution of this act, or the said act of the present session, in like manner and as fully and effectually as the same extend to justices of the peace acting in the execution of their office.

XIX. And be it further enacted, That no order or conviction made by any lieutenant of any county, riding, or place, or by any two or more deputy lieutenants, or by any one deputy lieutenant, together with any one justice of the peace, or by any justice or justices of the peace by virtue of the said act of the present session, or this act, shall be removed by *Certiorari* out of the county, riding, division, city, town, or place, wherein such order or conviction was made, into any court whatsoever; and that no writ of *Certiorari* shall supersede execution or other proceedings upon any such order or conviction so made in pursuance of the said act of the present session, or of this act; but that execution and other proceedings shall be had and made thereupon, any such writ or writs, or allowance thereof, notwithstanding.

XX. And be it further enacted, That all and every the provisions of this act shall, in the execution of the said act passed in the present session of parliament, be used and applied, and construed, in like manner as if the same provisions were specially enacted in the said act; and all and every the provisions of the said act shall, in the execution of this act, be used, applied, extended, and construed, in like manner as if the same provisions were specially enacted in this act.

XXI. Provided always, and be it further enacted, That this act may be altered, varied, or repealed, by any act or acts to be made in this session of parliament.

Act may be altered or repealed this session.

cited act, they may meet for that purpose, and are reckoned as soon after passing this act as convenient, to meet to execute the same.

act of the present session of parliament, at the time or times, or according to the manner prescribed by the said act, it shall and may be lawful for the deputy lieutenants, or any two or more of them, or one deputy lieutenant and one justice of the peace, acting for any sub-division of any county, riding, or division, to meet and execute the said powers, or any of them, at any other time or times, and from time to time as there shall be occasion; and they are hereby authorised and required, as soon after the passing of this act as shall be convenient, to meet at such time or times as they shall think fit, and execute the same at any meeting or meetings, to be held in pursuance of seven days previous notice, to be given in the manner directed by the said act, or by adjournment, as the case may require, so as the said act may be fully executed; and all meetings and acts of the said deputy lieutenants, or any two or more of them, or one deputy lieutenant and one justice of the peace in any such sub-division, which have been already had pursuant (in all other respects) to the directions of the said act, or which shall hereafter be had under the authority given by this act, shall be deemed and are hereby declared to be good and valid to all intents and purposes, notwithstanding such former omission or defect.

Mode of appealing.

VIII. And be it further enacted, That if any person whose name shall be inserted in any list or class made out in pursuance of the said act, shall think himself or herself aggrieved thereby, and shall claim to be exempted from the service mentioned therein, it shall be lawful for such person, and he or she is hereby required, in every case where no ballot shall have taken place, to appeal to the sub-division meeting appointed to be held for the purpose of taking the ballot to be made for such class, and before such ballot shall take place, and that where such ballot shall have taken place before the passing of this act, then to appeal to the next sub-division meeting for hearing such appeals to be held by the appointment of two or more of the said deputy lieutenants, or of one deputy lieutenant and one justice of the peace, or by adjournment, which meetings the said deputy lieutenants and justices respectively are hereby authorised and required, whenever there shall be occasion, to appoint, at any time after the eighth day of January one thousand seven hundred and ninety-seven, and within twenty-one days after the passing of this act, unless a meeting shall be held by adjournment on a convenient day within the time before limited; and any two or more of the said deputy lieutenants, or one deputy lieutenant and one justice of the peace, are hereby empowered and required to hear and determine all such appeals; and the determination of the said deputy lieutenants, or any two or more of them there assembled, or the major part of them, or one deputy lieutenant and one justice of the peace there assembled, shall be final to all intents and purposes; and the said deputy lieutenants and justices of the peace respectively shall, after hearing any such appeal, direct, as the case shall require, the lists, and also the classes in all cases where any exemption shall be allowed in any class, to be amended; and if there shall be occa-

Meetings for hearing appeals to be appointed when necessary.

Determination at such meetings to be final.

Determination at such meetings to be final.

Lists, &c. may be amended and a fresh ballot taken.

sion,

sion, a fresh ballot to be taken; and shall and may from time to time adjourn their meetings, or appoint other meetings, and repeat the amending of the lists and making the new classes, and taking a fresh ballot, as often as may be necessary for carrying the purposes of the said act of the present session into execution.

IX. Provided always, and be it further enacted, That no Classes not to amendment shall be made in any class, unless the name of some be amended person or persons inserted therein shall have been struck out, or but in certain the number of horses, mares, or geldings, inserted therein shall have been altered by the order of two deputy lieutenants, or one deputy lieutenant and one justice of the peace; and that no fresh nor any fresh ballot shall take place until such class shall be amended by the ballot to take insertion of the name or names of some other person or persons therein, and so as to make up the due number of horses, mares, and geldings required to be inserted therein: provided also, That Sub-division in order to fill up any clas or classes from which the name or meetings may names of any person or persons shall have been struck out, it compleat clai- shall be lawful for two or more of the said deputy lieutenants, names shall or one deputy lieutenant and one justice of the peace, at have been any sub-division meeting, whenever the name of any person struck out, by charged to the said duties on horses who ought to be classed inserting shall have been omitted, to cause the same to be inserted names omit- in any such defective clas, in order to compleat such clas, or if it shall be expedient, then to distribute the persons com- posing any entire clas or classes amongst the said defective classes, in such manner as to compleat the same, and so from time to time to alter, vary, or amend such classes, as often as shall be necessary, until all such classes shall be compleated, ac- cording to the intent and meaning of the said act of the present session of parliament; and it shall be lawful for the lieutenant General meet- and two deputy lieutenants, or for three deputy lieutenants, at ings may, any general meeting of lieutenancy for any county, riding, or where a ballot division, where a ballot shall have taken place before the passing place before of this act, if they respectively shall see occasion, to amend the passing this classes in various instances, to direct the formation of the classes act, direct throughout any sub-division of such county, riding, or division, be formed and where such instances occur, anew, and to proceed to ballot a fresh ballot thereupon as if no such former ballot had been made. to be made.

X. Provided also, and be it further enacted, That nothing Deputy lieu- herein-before contained shall be construed to authorise or require tenants, &c. the respective deputy lieutenants or justices of the peace, or any not to annul of them, to annul or set aside any of their proceedings respecting proceedings any clas or classes of persons already made, or any appointment respecting or appointments, or ballot, already had, unless in their judge- made, &c. ment the same shall appear to be necessary and expedient, for unless for the purpose of completing such of the said classes from which any completing names of persons, or any enumeration of mares or geldings, have been altered been struck out upon appeal as aforesaid, or otherwise, in pur- on appeal, &c. suance of the directions of this act.

XI. And be it further enacted, That the number of horses, The number mares, or geldings, included in any assessment or assessments made of horses in after the fifth day of April one thousand seven hundred and ninety- any assess- ment made six,

after April 5, 1796, or to be made, to the duties granted by certain acts, to be inserted in the schedules to be laid before the general meetings; and new schedules, from time to time, of other horses assed to those duties, to be laid before them, until the service required be completed.

Persons ceasing to keep horses for which they are assed, since Oct. 20, 1796, may on appeal, have them struck out of the schedule.

Persons charged for other duties under the management of the commissioners for taxes, in a different place than for horses, may elect, in which they shall be returned, &c.

six, or to be made, to any of the duties granted by the acts of the twenty-fourth, twenty-ninth, and thirty-fourth years of the reign of his present Majesty, or any of them, in the said act of the present session of parliament mentioned, shall be inserted in the schedule directed by the said act to be laid before the general meetings of lieutenancy in their respective counties, ridings, and places in the said act described; and that from time to time new schedules shall be prepared of any other horses, mares, or geldings, which shall be assed to the said duties, or any of them, to be laid before such general meetings, which last-mentioned horses, mares, or geldings, shall from time to time be enumerated or classed in the manner herein directed, until the service required by the said act shall be completed: provided always, That if any person shall have *bona fide* ceased to keep or use any horse, mare, or gelding, or any number of horses, mares, or geldings, for which he or she is charged in any such assessment, at all times since the twentieth day of October one thousand seven hundred and ninety-six, and shall have remained during the whole interval without any horse, mare, or gelding, liable to any of the said duties, in lieu of the former horse, mare, or gelding, horses, mares, or geldings, it shall be lawful for the deputy lieutenants, or any two or more of them, or one deputy lieutenant and one justice of the peace, acting for any sub-division before whom any appeal for that cause shall be brought in pursuance of this act, to discharge such horse, mare, or gelding, or such horses, mares, or geldings, which such person shall have ceased to keep or use as aforesaid, from the copy of the schedule whereon the same respectively shall appear to have been charged; and such person shall not be liable to provide for the service required by the said act in respect of any horse, mare, or gelding struck out of such copy, in the manner and for the cause herein directed.

XII. And be it further enacted, That it shall and may be lawful for any person liable to the service required by the said act of the present session, who shall be charged to any other duties under the management of the commissioners for the affairs of taxes, in any place different from the place or places where he or she shall be charged to the said duties on horses, to elect in which of the said places he or she shall be returned as liable to the said service, giving such notices thereof and procuring such certificates as are required to be made and procured by the said act in other cases where such election may be made; and in case such person shall elect to serve in the place where he or she shall be charged to any other assed duties than the said duties on horses, then the number of horses, mares, or geldings, for which he shall be so charged, shall be indorsed or written upon the assessment made after the fifth day of April one thousand seven hundred and ninety-six, in respect of such other duties upon such person in the place where he or she shall make such election to serve in pursuance of such certificates; and all fines and penalties which such person may incur, and all other payments to which such

such person may become liable, in pursuance of the said act, shall and may from time to time be added to the said assessment upon which the number of horses, mares, or geldings, for which he or she shall be so charged, shall be endorsed or written in pursuance of such certificates, and shall be levied and accounted for, together with the duties therein respectively contained, subject to such application as is provided by the said act in respect of fines, penalties, and other payments aforesaid.

XIII. And be it further enacted, That in every class of persons made out or to be made out in pursuance of the said act of the present session, the person on whom the lot shall fall shall be bound to provide a man, who shall be approved in the manner directed by the said act; and that no allowance shall be made to such person in respect thereof beyond such sum as shall be settled by the general meeting of lieutenancy of the same county, riding, in respect of division, where such person shall be chosen, to be a fair compensation in respect of the cloathing to be provided; unless such person shall be deemed unfit for the said service, in which case general meeting allowance shall be made, in respect thereof, of such sum of money as shall be settled at a sub-division meeting of lieutenancy person he in the division of the same county, riding, or place, where such person shall serve, to be a fair compensation for the same, and which compensation shall be apportioned, assessed, collected, and paid in the manner directed by the said act.

XIV. And be it further enacted, That no allowance shall be made to any person on whom the lot shall fall, in any class, to the person on provide a mare or gelding for the said service, beyond such sum whom the lot as shall be settled at a general meeting of lieutenancy, to be allowed for any extra expences to be incurred in providing furniture, and in maintaining and keeping such mare or gelding, the sum unless such person, at the time of such ballot being had, shall not be actually possessed of any mare or gelding, which shall be approved in pursuance of the directions contained in the said act; in which case such allowance shall be made, as shall be settled at such sub-division meeting of lieutenancy as aforesaid to be a fair compensation for the same, and which shall be apportioned, assessed, collected, and paid, in the manner directed by the said act.

XV. And be it further enacted, That so much of the said act made in the present session of parliament, as directs an allowance to be made to the person who shall provide a substitute in cases where in any class there shall not be a person fit for military service, shall be, and the same is hereby repealed.

XVI. And be it further enacted, That whenever any mare or gelding which shall have been approved at a muster made in pursuance of the said act of the present session, shall die, or become unfit for service, the person before appointed or chosen by ballot to provide such mare or gelding shall be obliged to provide another mare or gelding, which shall be approved in like manner; and that whenever any substitute shall die, or shall be discharged in pursuance of the said act, the person who shall have provided such substitute shall be obliged to provide another man to the

No allowance shall fall to provide a horse, beyond the sum settled at a general meeting, unless at the ballot he shall not be possessed of an approved horse.

Such part of recited act, as directs allowance in certain cases for substitutes, repealed.

Whenever any horse shall die or become unfit for service, or any substitute die or be discharged, the person who provided him shall provide another, for

which he shall said service in the room of the substitute so dying or discharged; receive coin- and in every such case the person so providing such other man, pen-sation.

Where such allowance shall be made for a horse, it shall be sub-ject to the conditions of the recited act.

All persons charged to the duties on horses, until the men serv-ing under the recited act, shall be embodied, shall be liable to be assessed towards al-lowances.

Persons en-rolled may, before their corps are or-dered to be drawn out, produce substitutes.

Whenever the men are called out, the de-puty lieute-nants, &c. may direct the county re-ceiver general to pay not ex-ceeding 10l. in respect of each substi-tute, &c.

or such other mare or gelding, shall receive a compensation, to be settled at a sub-division meeting of lieutenancy in the manner before directed; provided always, That where such allowance shall be made in respect of any mare or gelding provided under this act, such mare or gelding shall remain under and subject to all the conditions, restrictions, and regulations, for returning the same, as are contained in the said act, in the like cases where allowances are directed to be made by the said act.

XVII. And be it further enacted, That all the persons charged or to be charged to the said duties on horses, in any county, riding, or division, at any time during the continuance of the said act of the present session, until the men serving in pursuance of the said act shall be called out and embodied according to the directions therein contained, although such persons may not be included in any class or classes, and although such persons respectively may serve, or may have provided for the said service, in the manner directed by the said act, shall be liable to be assessed according to the general estimate to be made in such county, riding, or division, towards the allowances to be made in pur-suance of the said act and of this act, in proportion to the number of horses, mares, or geldings, for which he or she are or shall be charged to the said duties.

XVIII. And be it further enacted, That it shall be lawful for any person appointed or chosen by ballot, and enrolled to serve by virtue of the said act of the present session, at any time before the corps in which he shall be enrolled shall be ordered to be drawn out or embodied, to give notice in writing of his intention to resign to any one or more of the deputy lieutenants or justices of the peace acting for the sub-division for which he shall serve, and to produce a substitute at the next meeting to be holden for such sub-division after such notice, who, being approved, shall be enrolled and sworn in the manner directed by the said act, and thereupon the person so resigning shall be entitled to his dis-charge, to be made out in writing under the hands of any two or more deputy lieutenants, or one deputy lieutenant and one justice of the peace acting as aforesaid.

XIX. And be it further enacted, That whenever the men serving under the said act of the present session shall be called out and embodied as aforesaid, it shall and may be lawful for the de-puty lieutenants, or any two or more of them, or one deputy lieutenant and one justice of the peace, acting for any sub-division of a county, riding, or division, by an order in writing under their hands and seals, to direct the receiver general of the same county, riding, or division, to pay to the commanding officer of such men, or other person appointed provisionally to the com-mand of such men, in respect of each and every person serving for the respective sub-divisions as a substitute, any sum not ex-ceeding ten pounds, as the person for whom such substitute shall serve shall have contracted to give to such substitute, such con-tract

tract being registered with the clerk of the sub-division where such substitute shall serve, within one month after the time of his enrolment in the said service; and such receiver general shall forthwith pay the same accordingly out of any monies in his hands of the monies raised by virtue of the said act, or if he shall not have sufficient of the said money, then to pay the same out of any monies in his hands, or which shall be paid to him of or for any of the duties under the management of the commissioners for the affairs of taxes, all which sums so paid shall be allowed to such receiver general in his accounts.

XX. And be it further enacted, That if in any sub-division Volunteers of any county, riding, or division, any number of volunteers raised under who shall be formed or raised under the authority of the said act 34 Geo. 3. passed in the thirty-fourth year of the reign of his present Majesty, at any time after the passing of this act, and before the fifteenth day of January one thousand seven hundred and ninety-seven, shall be produced before the deputy lieutenants, or before one deputy lieutenant and one justice of the peace, at any meeting held for such sub-division within the time before limited; and if each of such volunteers shall be respectively cloathed, and shall be provided with a mare or gelding fit for military service, raised in the sub-division approved by such deputy lieutenants or justices, in the manner directed by the said act of the present session, it shall and may be lawful for such deputy lieutenants, or any two or more of them, or such deputy lieutenant and justice of the peace as aforesaid, to further execute their names and places of abode to be registered in books to be prepared for that purpose, and kept by the clerk of such sub-division meetings; and if the number of volunteers to be registered in any sub-division within the time before limited shall exceed three fourth parts of the whole number of men to be raised within such sub-division by virtue of the said act of the present session, the deputy lieutenants, or any two or more of them, or one deputy lieutenant and one justice of the peace there attending, may suspend the further execution of the said act of the present session within such sub-division, so far as respects the making of appointments, and the taking of ballots of persons to provide men, and to furnish mares and geldings for his Majesty's service, and for enforcing their attendance at muster; and every volunteer so registered shall, in all cases where such suspension shall take place, be entitled to receive, and shall be allowed, the like compensation for extra expences in respect of cloathing to be provided, or for maintaining and keeping their respective mares or geldings fit for military service, as by the said act of the present session of parliament and this act is directed to be allowed to persons chosen by ballot to provide for his Majesty's service under the said act of the present session; which allowances shall be settled by the general meetings of lieutenancy in the same county, riding, or division, and shall be assessed in the manner directed by the said act; and the monies so payable shall be received by the deputy lieutenants, and paid over to the commanding

ing officer of such volunteers, for the use of such volunteers, in the manner therein directed; and that all rules and methods for making and collecting assessments under the said act of the present session shall be applied and extended to the making and collecting the assessments to be paid to the use of the said volunteers, as fully and effectually as if the same had been hereby expressly applied and extended thereto.

If the number of volunteers so registered shall not amount to such 3-4th parts, they who shall be approved may enter themselves for particular persons or classes respecting whom the further execution of the recited act shall be suspended, &c.; and in such cases the subdivision meeting shall proceed to execute the act with respect to such classes or persons on whose behalf no volunteers shall have entered.

XXI. And be it further enacted, That although the number of volunteers to be so registered within any such sub-division, within the time herein limited, shall not amount to three fourth parts of the whole number of men to be raised within such sub-division under the authority of the said act of the present session, nevertheless it shall and may be lawful for such of the said volunteers who shall be cloathed and equipped as aforesaid, and who shall be approved, to enter themselves on the behalf of particular persons and classes required to provide for the said military service under the said act, and to nominate the persons and classes for which they are respectively willing to serve; and the said deputy lieutenants and justices of the peace there attending, shall cause the same to be registered in such books as aforesaid; and it shall be lawful for the said deputy lieutenants and justices of the peace respectively to cause the further execution of the said act of the present session to be suspended within such sub-division, so far as respects the making of appointments, and the taking of ballots of the persons and classes on the behalf of which such volunteers shall enter themselves, and for enforcing the attendance at muster either of the persons enrolled in the said service by virtue of any appointments or ballots taken of such persons and classes respectively, or of the volunteers who shall enter themselves on the behalf of such persons and classes respectively; and every volunteer so entered shall be entitled to receive, and shall be allowed, the like compensation for extra expences as is herein-before directed to be allowed to volunteers to be registered under the authority of this act; and that in every case where volunteers shall be entered on the behalf of any persons or classes as aforesaid, the deputy lieutenants, or any two or more of them, or any one deputy lieutenant and one justice of the peace, at any meeting of such sub-division, shall, within a reasonable time, proceed within such sub-division to appoint such persons, and to choose persons by ballots from such classes only, and to enforce the enrolment or attendance at muster of such persons only on whose behalf no volunteers shall have so entered themselves, unless in the meantime such suspension thereof as is herein-after mentioned shall be directed; and the said deputy lieutenants and justices of the peace respectively shall forthwith transmit an account of the number of volunteers so entering themselves to the lieutenant of the same county, riding, or division, who shall transmit the same, without delay, to his Majesty's privy council; and it shall and may be lawful for his Majesty's privy council to direct a suspension of the further execution of the said act within any such sub-division, for such time as shall be thought expedient,

An account of such volunteers to be transmitted to the county lieutenant, to be transmitted to the privy council, who may also further

expedient, in order to give a reasonable opportunity to complete the quota of such sub-division by the raising and entering of volunteers for the remaining persons and classes in such sub-division; and in such case it shall be lawful for the deputy lieutenants and justices of the peace respectively acting for such sub-division, within the time allowed by his Majesty's privy council, to enter any further number of volunteers on the behalf of the remaining persons and classes in such sub-division, and at the end of the time so allowed to make such appointments of the remaining persons, and choose such persons by ballot out of the remaining classes, or to enrol and enforce the attendance at muster of persons before appointed or chosen by ballot, on whose behalf no volunteers shall then have entered, as shall be requisite: provided always, That if at the end of the time so allowed, the number of volunteers so entered shall amount to or exceed three fourth parts of the whole number of men to be raised within such sub-division, then and in such case no appointment or ballot, nor any enrolment or muster of persons appointed or ballotted, or their respective substitutes, shall take place within or for such sub-division, under the said act passed in the present session of parliament.

XXII. Provided always, and be it further enacted, That every volunteer so to be registered or entering himself on the behalf of any other person or class as aforesaid, shall continue to be and shall be understood to serve under and subject to the provisions and regulations of the said act of the thirty-fourth year of the reign of his present Majesty, and shall be entitled to all and every the exemptions which any volunteer entered into any such corps, at any time before the passing of this act, or the said act of the present session, may be entitled to, by any act or acts passed in the present session of parliament, but shall not be considered as liable to the regulations of the said act passed in the present session, either as to his attendance at muster, or to his being drawn out and embodied in pursuance of the said act, or to any penalty or forfeiture for non-attendance at such muster, or non-compliance with any of the said regulations, except as to such regulations as are herein-before provided with respect to the allowances to be made to such volunteers under the authority of the said act of the present session, or of this act.

XXIII. And be it further enacted, That whenever the number of volunteers registered for any sub-division shall amount to the proportion herein-before specified, all and every the appointments already made, and ballots already taken or had, in pursuance of the said act for such sub-division, shall be, and are hereby declared to be void.

XXIV. And be it further enacted, That it shall and may be lawful for the deputy lieutenants, or one deputy lieutenant and one justice of the peace acting for any sub-division, where the appointments and ballots to be made by virtue of the said act shall not have already taken place, to suspend the making such appointments, and taking such ballots, until the fifteenth day of January one thousand seven hundred and ninety-seven, or such

time for completing the quota, &c.

If at the end of the time allowed, the volunteers amount to 3-4ths of the whole to be raised, no appointment or ballot, &c. shall take place in the sub-division.

Volunteers so registered to be subject to the provisions of the recited act of the 34th Geo. 3. and entitled to the like exemptions as volunteers entered before passing this or the recited act of the present session; but not liable to the regulations, except such as relate to allowances.

When the volunteers registered for any sub-division shall amount to the proportion herein-before specified, the appointments made, and ballots taken for it, shall be void.

Where the appointments and ballots shall not have taken place, they may be suspended.

ing officer of such volunteers, for the use of such volunteers, in the manner therein directed; and that all rules and methods for making and collecting assessments under the said act of the present session shall be applied and extended to the making and collecting the assessments to be paid to the use of the said volunteers, as fully and effectually as if the same had been hereby expressly applied and extended thereto.

If the number of volunteers so registered shall not amount to such 3-4th parts, they who shall be approved may enter themselves for particular persons or classes respecting whom the further execution of the recited act shall be suspended, &c.; and in such cases the sub-division meeting shall proceed to execute the act with respect to such classes or persons on whose behalf no volunteers shall have entered.

XXI. And be it further enacted, That although the number of volunteers to be so registered within any such sub-division, within the time herein limited, shall not amount to three fourth parts of the whole number of men to be raised within such sub-division under the authority of the said act of the present session, nevertheless it shall and may be lawful for such of the said volunteers who shall be cloathed and equipped as aforesaid, and who shall be approved, to enter themselves on the behalf of particular persons and classes required to provide for the said military service under the said act, and to nominate the persons and classes for which they are respectively willing to serve; and the said deputy lieutenants and justices of the peace there attending, shall cause the same to be registered in such books as aforesaid; and it shall be lawful for the said deputy lieutenants and justices of the peace respectively to cause the further execution of the said act of the present session to be suspended within such sub-division, so far as respects the making of appointments, and the taking of ballots of the persons and classes on the behalf of which such volunteers shall enter themselves, and for enforcing the attendance at muster either of the persons enrolled in the said service by virtue of any appointments or ballots taken of such persons and classes respectively, or of the volunteers who shall enter themselves on the behalf of such persons and classes respectively; and every volunteer so entered shall be entitled to receive, and shall be allowed, the like compensation for extra expences as is herein-before directed to be allowed to volunteers to be registered under the authority of this act; and that in every case where volunteers shall be entered on the behalf of any persons or classes as aforesaid, the deputy lieutenants, or any two or more of them, or any one deputy lieutenant and one justice of the peace, at any meeting of such sub-division, shall, within a reasonable time, proceed within such sub-division to appoint such persons, and to choose persons by ballots from such classes only, and to enforce the enrolment or attendance at muster of such persons only on whose behalf no volunteers shall have so entered themselves, unless in the meantime such suspension thereof as is herein-after mentioned shall be directed; and the said deputy lieutenants and justices of the peace respectively shall forthwith transmit an account of the number of volunteers so entering themselves to the lieutenant of the same county, riding, or division, who shall transmit the same, without delay, to his Majesty's privy council; and it shall and may be lawful for his Majesty's privy council to direct a suspension of the further execution of the said act within any such sub-division, for such time as shall be thought expedient,

An account of such volunteers to be transmitted to the county lieutenant, to be transmitted to the privy council, who may allow a further

expedient, in order to give a reasonable opportunity to complete the quota of such sub-division by the raising and entering of volunteers for the remaining persons and classes in such sub-division; and in such case it shall be lawful for the deputy lieutenants and justices of the peace respectively acting for such sub-division, within the time allowed by his Majesty's privy council, to enter any further number of volunteers on the behalf of the remaining persons and classes in such sub-division, and at the end of the time so allowed to make such appointments of the remaining persons, and choose such persons by ballot out of the remaining classes, or to enrol and enforce the attendance at muster of persons before appointed or chosen by ballot, on whose behalf no volunteers shall then have entered, as shall be requisite: provided always, That if at the end of the time so allowed, the number of volunteers so entered shall amount to or exceed three fourth parts of the whole number of men to be raised within such sub-division, then and in such case no appointment or ballot, nor any enrolment or muster of persons appointed or ballotted, or their respective substitutes, shall take place within or for such sub-division, under the said act passed in the present session of parliament.

XXII. Provided always, and be it further enacted, That every volunteer so to be registered or entering himself on the behalf of any other person or class as aforesaid, shall continue to be and shall be understood to serve under and subject to the provisions and regulations of the said act of the thirty-fourth year of the reign of his present Majesty, and shall be entitled to all and every the exemptions which any volunteer entered into any such corps, at any time before the passing of this act, or the said act of the present session, may be entitled to, by any act or acts passed in the present session of parliament, but shall not be considered as liable to the regulations of the said act passed in the present session, either as to his attendance at muster, or to his being drawn out and embodied in pursuance of the said act, or to any penalty or forfeiture for non-attendance at such muster, or non-compliance with any of the said regulations, except as to such regulations as are herein-before provided with respect to the allowances to be made to such volunteers under the authority of the said act of the present session, or of this act.

XXIII. And be it further enacted, That whenever the number of volunteers registered for any sub-division shall amount to the proportion herein-before specified, all and every the appointments already made, and ballots already taken or had, in pursuance of the said act for such sub-division, shall be, and are hereby declared to be void.

XXIV. And be it further enacted, That it shall and may be lawful for the deputy lieutenants, or one deputy lieutenant and one justice of the peace acting for any sub-division, where the appointments and ballots to be made by virtue of the said act shall not have already taken place, to suspend the making such appointments, and taking such ballots, until the fifteenth day of January one thousand seven hundred and ninety-seven, or such other time for com-

pleting the quota, &c.

If at the end of the time allowed, the volunteers amount to 3-4ths of the whole to be raised, no appointment or ballot, &c. shall take place in the sub-division.

Volunteers so registered to be subject to the provisions of the recited act of the 34th Geo. 3, and entitled to the like exemptions as volunteers entered before passing this or the recited act of the present session; but not liable to the regulations, except such as relate to allowances.

When the volunteers registered for any sub-division shall amount to the proportion herein-before specified, the appointments made, and ballots taken for it, shall be void.

Where the appointments and ballots shall not have taken place, they may be suspended.

Officers to attend musters of men enrolled, when formed, until embodied, &c.

other day to which the same shall be postponed by his Majesty's privy council, in order that the provisions of this act, with respect to the raising of volunteers, may have their due effect.

XXV. And be it further enacted, That the officers who shall be provisionally appointed by the lieutenant or general meeting of lieutenancy of any county, riding, or division, with the approbation of his Majesty, to the command of men enrolled by virtue of this act, whenever they shall be formed into a regiment, battalion, or troop, in pursuance of the said act, shall attend the musters which shall be directed to be made of men so enrolled in their respective sub-divisions, until such men shall be ordered to be drawn out and embodied, and shall have full power and authority to execute the said act of the present session of parliament, in all things which may lawfully be done by officers appointed to muster such men.

Quakers on producing a certificate thereof, shall have their names struck out of lists, and be fined 20s. for each horse for which they are charged with duty.

XXVI. And be it further enacted, That if any person being of the people called *Quakers*, shall at any time on or before the fifteenth day of *January* one thousand seven hundred and ninety-seven, or at the first sub-division meeting which shall be held after the tenth day of *January* one thousand seven hundred and ninety-seven, produce or cause to be produced, before the deputy lieutenants, or one deputy lieutenant and one justice of the peace acting for the sub-division where such person shall be liable to the service required by the said act, a certificate under the hands of two or more reputable housekeepers being of the people called *Quakers*, acknowledging such person to be of their persuasion, it shall and may be lawful for the said deputy lieutenants, or any two or more of them, or one deputy lieutenant, and one justice of the peace, to cause the name of such person to be struck out of any list or class then made, whether a ballot shall have taken place for such sub-division or not, and thereupon such lieutenants and justices of the peace respectively, are required to fine such person in the sum of twenty shillings for each and every horse, mare, or gelding, for which such person shall be charged to the said duties, which sum shall be added to the last assessment of such person to the said duties on horses, and shall be levied at the next subsequent payment to be made of any of the said duties, and applied in such manner as is directed by the said act with respect to any fines thereby imposed.

No order, &c. to be removed by Certiorari, &c.

XXVII. And be it further enacted, That no order or conviction made by any lieutenant of any county, riding, or place, or by any two or more deputy lieutenants, or by any one deputy lieutenant together with any one justice of the peace, or by any justice or justices of the peace, by virtue of the said act of this present session or this act, shall be removed by *Certiorari* out of the county, riding, division, city, town or place, wherein such order or conviction was made, into any court whatsoever; and that no writ of *Certiorari* shall supersede execution or other proceedings upon any such order or conviction so made in pursuance of the said act of the present session, or of this act; but that execution and other proceedings shall be had and made thereupon, any such writ or writs, or allowance thereof, notwithstanding.

XXVIII. And

XVIII. And be it further enacted, That all and every the provisions of this act shall, in the execution of the said act passed in the present session of parliament be used and applied, and construed, in like manner as if the same provisions were specially enacted in the said act; and all and every the provisions of the said act shall, in the execution of this act, be used, applied, extended, and construed, in like manner as if the same provisions were specially enacted in this act.

XXIX. Provided always, and be it further enacted, That this act may be altered, varied, or repealed, by any act or acts to be made in this present session of parliament.

Act may be altered or repealed this session.

C A P. XXIV.

An act to explain and amend an act, made in this present session of parliament, intituled, An act for raising a certain number of men in the several counties in England, for the service of his Majesty's army and navy.—[December 30, 1796.]

WH E R E A S it is expedient that an act, passed in the pre-
sent session of parliament, intituled, An act for raising a certain number of men in the several counties in England, for the service of his Majesty's army and navy, should be explained and amended, in the particulars herein-after mentioned: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That any volunteer or volunteers raised under the said act for the army, who shall be approved by the regulating officer, may be brought before any two justices of the same county, riding, division, or place, residing near to the place of rendezvous, to be examined touching his consent to enter into such service; and it shall be lawful for such justices of the peace to cause such volunteer or volunteers to be attested and sworn in the manner and according to the form in the schedule to this act annexed (*mutatis mutandis*).

II. And be it further enacted, That it shall be lawful for the justices of the peace before whom any such volunteer shall be attested, over and above such part of the bounty as shall have been agreed to be paid to such volunteer on his engaging to serve, to direct and order the further sum of one guinea, out of such bounty, to be advanced and paid to the officer or officers appointed to receive, and who shall receive, such volunteer, to be by him laid out in providing immediate necessaries for such volunteer.

III. And be it further enacted, That if any volunteer or volunteers who shall be so attested shall desert from his Majesty's service at any time before such volunteer or volunteers shall have arrived at the head quarters of their respective regiments, if such regiments shall then be in Great Britain, and if such regiment shall then be on foreign service before such volunteer or volunteers shall have arrived at Chatham barracks, the parish provide

Volunteers raised under recited act for the army may be brought before two justices, who may cause them to be attested according to the form in the annexed schedule.

the bounties or parishes by which such volunteers were provided shall be liable to provide other fit and able men in lieu of those who shall so desert, to be raised in the manner directed by the said act, within fourteen days after notice in writing of such desertion shall be given to the respective overseers of such parishes or places by the officer from whom such volunteer or volunteers deserted; and the bounties agreed to be given to any such volunteers who shall desert, and remaining unpaid, may be applied for the purpose of providing other men in lieu of those who shall desert: provided always, That the officer or officers who shall receive such other men in lieu of those who have deserted, shall return to the respective overseers of the poor of the respective parishes by whom such men shall be raised, all sums received by him or them for the purpose of providing necessities as aforesaid, not exceeding the sum of one guinea for each such man; all which sums of money so repaid shall be allowed to such officer or officers in his or their accounts.

Officers to return to the overseers the sum received for necessities of deserters, not exceeding a guinea.

On arrival of volunteers at quarters or Chatham, a pay ticket to be transmitted to the county receiver general, who shall pay the remainder of bounties, and demand the same of the county treasurer.

IV And be it further enacted, That whenever any volunteer raised under the said act for the army, shall have arrived at the head quarters of the regiment for which he shall be attested, if such regiment shall then be in *Great Britain*, or if such regiment shall be on foreign service, shall have arrived at *Chatham* barracks, it shall and may be lawful for the commanding officer of such regiment, in every case where the regiment for which such volunteer shall be attested shall then be in *Great Britain*, and for the inspector general of the recruiting service at *Chatham* in every case where the regiment for which such volunteer shall be attested shall then be on foreign service, and they are hereby respectively required to make out and transmit the pay ticket directed to be made out by the said act (and which ticket shall be made out in the manner directed thereby) to the receiver general of the county where such volunteer shall have been raised, and such receiver general, shall and he is hereby empowered to pay to the order of such commanding officer, or such inspector general, as the case may require, the remainder of the bounty money agreed to be paid to such volunteer on his engaging to serve, and then remaining due, out of any publick monies in the hands of such receiver general; and such receiver general shall pay the same without delay, and shall demand repayment of the same from the county treasurer who shall have received such bounty money.

Out of the bounty, three guineas may be applied for necessities, and the remainder paid to the volunteer.

V. And be it further enacted, That out of the bounty money which any such officer or such inspector general shall receive in pursuance of this act for the use of any volunteer, it shall be lawful for them respectively to apply part thereof, not exceeding three guineas, to complete the necessities to be provided for such volunteer, in the manner such commanding officer and inspector general respectively shall think most for the benefit of the respective volunteers; and the remainder of such bounty money (if any) shall be advanced and paid to such volunteers without delay; and the officer or officers who shall have expended any part of

of such bounty money in providing necessaries as aforesaid, shall account to such volunteers how the said respective sums have been applied and disposed of, which accounts shall be rendered within a reasonable time after such application thereof.

VI. And be it further enacted, That every person who shall have been already enrolled by virtue of the said act of the present session of parliament, or who shall be enrolled by virtue thereof after the passing of this act, to serve in the army, shall be delivered by the overseers of the poor of the parish or parishes for which such person shall be engaged to serve at the nearest place of rendezvous appointed, or to be appointed, for the reception of volunteers raised for the army by virtue of the said act, within the county, riding, or division, for which such person shall be engaged to serve; or if not there delivered, then at the head quarters of such regiment, if such regiment shall be in Great Britain, or if such regiment shall be on foreign service, then at Chatham barracks; and that no officer shall be compelled to receive such person at any other place than is herein described.

VII. Provided always, and be it further enacted, That if any volunteer raised, or to be raised, for the army by virtue of the said act, who shall have been delivered to the proper officer at the place of rendezvous appointed for the reception of volunteers within any county, riding, or division, shall afterwards desert from such officer or officers, then the parish or parishes for which the person so deserting shall have been raised, and which shall provide any other man in lieu of the person so deserting, shall be entitled to receive the sum paid to such deserter, not exceeding one third part of such sum as shall have been agreed to be paid to him as a bounty at the time when he engaged to serve, and which shall have been expressed in the certificate of the justices of the peace who shall have attested such person; and the justices of the peace before whom such other man shall be attested, shall, on production of such certificate, or a true copy thereof, attested by the justices granting the same, make an order on the receiver general of the county, riding, or division, for the payment of the same; and which sum every such receiver general is hereby required to pay accordingly out of any publick monies in the hands of such receiver general.

VIII. Provided also, and be it further enacted, That whenever any volunteer who, from and after the passing of this act, shall be raised for the army by virtue of the said act of the present session of parliament, and entered in any regiment whose head quarters shall not then be within the county, riding, or division, for which such volunteer shall be engaged to serve, it shall and may be lawful to convey such volunteer out of the county, riding, or division, where he shall have been raised into any other county, their riding, or division, where such head quarters shall be, or to Chatham to be paid till barracks, as the case may require; and no part of the bounty money for which he engaged to serve, except one third part thereof allowed by the said act to be paid to him at the time of his enrolment, and the further sum of one guinea, allowed to be paid to the officer for his use for necessaries by this act, shall be

rolled to be delivered by the overseers, at the nearest rendezvous, or at head quarters or Chatham.

If a volunteer desert after delivery at the rendezvous, the parish which shall provide another man shall receive the sum paid the deserter, not exceeding a third of the bounty, &c.

If overseers undertake to deliver any person raised, at head quarters or Chatham, they may pay him the remainder of bounty.

Parishes delivering volunteers at head quarters or Chatham, or on board ship, to receive 4d. per mile, for the distance, from the county receiver general.

Receipts to be given the receiver general as his vouchers, who shall be reimbursed by the county treasurer.

paid either to him or to his use until he shall have arrived at such head quarters, or at *Chatbam* barracks, as the case may require.

IX. Provided always, and be it further enacted, That if the overseers of the poor of the parish or parishes for which any person already raised, or to be raised, for the army, by the said act is or shall be engaged to serve, shall voluntarily undertake to deliver such person at the head quarters of the regiment for which such person is or shall be entered, or at *Chatbam* barracks, as the case may require, it shall and may be lawful for them so to do, and to pay to such person the whole of the bounty money then remaining due to such person, except such sums as the commanding officer of such regiment, the inspector general of recruits at *Chatham*, and the officers appointed to receive such men at the places of rendezvous respectively, shall be entitled to receive for the use of such person for providing necessaries, not exceeding in the whole, the sum of four guineas, including the sum of one guinea directed to be advanced to the officer at the time of receiving such person.

X. And be it further enacted, That any parish or parishes which shall cause to be delivered any volunteer raised or to be raised for the army, at the head quarters of the regiment in which he shall be entered, or at *Chatham* barracks as aforesaid, or shall deliver any volunteer raised or to be raised for the navy on board any of his Majesty's ships of war, at such place and time as is herein-before mentioned, shall, by order of two justices of the peace for the county, riding, or division, where such volunteer shall have been raised, to be granted on the certificate of the commanding officer at the head quarters, or at *Chatham* barracks, in respect of recruits for the army, and of the officer having the command of the ship, in respect of recruits for the navy, of such his future officer having received such volunteer, be entitled to receive an allowance after the rate of four-pence for each and every mile such volunteer shall be conveyed, from the receiver general of such county, riding, or division, to be paid to the overseer or overseers of such parish or parishes, by such receiver general out of any publick monies in his hands: provided, That in every case where any receiver general is by this act required to pay any sum of money out of any publick monies, the person or persons demanding the same shall give a receipt for the same, which such receiver general shall produce as a voucher for such payment: provided also, That every such receiver general who shall advance any monies in pursuance of this act, shall be reimbursed the same by and out of any monies which shall come into the hands of the treasurer of such county, riding, or division, of the fines to be paid by any parish or parishes for not raising the number of men required to be raised by the said act, and which shall be directed to be paid to such receiver general by any justices of the peace, in pursuance of the said act; and if such receiver general shall not receive sufficient of such monies, then the deficiency shall be allowed to such receiver general in his accounts.

XI. Provided

XI. Provided always, and be it further enacted, That no person shall be enrolled to serve in the army, by virtue of the said act, who, being under the age of eighteen years, shall be under the height of five feet three inches, or being above the age of eighteen, shall be under the height of five feet four inches.

XII. And be it further enacted, That where the whole number of men appointed to be raised by or for any place or places, shall not be raised, and a return thereof made to the justices of the district at a petty sessions, within three weeks next after notice of the order of general sessions shall have been served, in the manner directed by the said act of the present session, it shall and may be lawful for the justices, at such sessions, to allow a further time for that purpose, not later than the twentieth day of January one thousand seven hundred and ninety-seven, and at the end of such further time to proceed in the execution of the said act, in the manner they are directed to proceed at the end of the first period of three weeks aforesaid.

XIII. And be it further enacted, That if any volunteer entered to serve in his Majesty's navy by virtue of the said act of the present session shall, at the voluntary request of the overseers of the poor of the parish or parishes for which such volunteer shall be engaged to serve, be conveyed by the said overseers on board any of his Majesty's ships of war, at such place, and within such time, as the regulating officer by whom such volunteers shall be entered, shall direct, by any order in writing signed by him, it shall and may be lawful for the person taking or having the command of such ship to receive such volunteer from the said overseers of the poor; and the said overseers of the poor may, in the presence of the person taking the command of such ship, pay the whole of the bounty money agreed to be paid, into the hands of such volunteer, to his sole use, every such volunteer giving a receipt to the said overseers, which shall be attested by the person then taking the command of such ship, in token of his having received such volunteer into the said service.

XIV. And be it further enacted, That all and every the provisions of this act shall, in the execution of the said act passed in the present session of parliament, be used and applied, and construed, in like manner as if the same provisions were specially enacted in the said act; and all and every the provisions of the said act shall, in the execution of this act, be used, applied, extended, and construed, in like manner as if the same provisions were specially enacted in this act.

XV. Provided always, and be it further enacted, That this act may be altered, varied, or repealed, by any act or acts to be made in this present session of parliament.

Act may be altered or repealed this session. -

S C H E D U L E to which this act refers.

FORM OF ATTESTATION.

I do make oath, That I am by trade a and to the best of my knowledge and belief was born in the parish of in the county of and that I have no rupture, nor ever was troubled with fits; and that I am no ways disabled by lameness, or otherwise, but have the perfect use of my limbs; that I am not an apprentice, nor belonging to the militia, nor to any other regiment, nor to his Majesty's navy, or marines; and that I voluntarily enlisted myself at in the county of the day of to serve his majesty King George the Third, as a private soldier, in the regiment, commanded by or in such other regiment wherein I shall be required to serve during the continuance of the present war, and for the space of one calendar month after the end of the war, if the regiment in which I shall be serving shall be in Great Britain, or otherwise, for the space of one calendar month next after its arrival in Great Britain.

As witness my hand, at this day of

Witness present

N. B. The justices certificate, (according to the form No. 8, annexed to the act of the present session, in this act mentioned), to be subjoined to the attestation.

C A P. XXV.

An act for the better raising and ordering the militia forces of the Tower Hamlets, in the county of Middlesex.—[December 30, 1796.]

Preamble.

Constable of the Tower, and lieutenant of the Tower Hamlets, &c. may arm and exercise the militia of the hamlets according to 26 Geo. 3.

WHEREAS it is expedient to vary the mode of raising the militia within and for the liberty or district of the Tower division, in the county of Middlesex, commonly known by the name of the Tower Hamlets: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful to and for his Majesty's constable of the Tower, and lieutenant of the Tower Hamlets for the time being, and in the absence of the said constable or lieutenant out of the kingdom, or in case of vacancy of the office of lieutenant, the deputy lieutenants of the said hamlets, authorised by his Majesty, or any three or more of them for the time being, or the major part of them, assembled at any publick meeting or court of lieutenancy to be called for that purpose, and they are hereby respectively empowered

empowered and required to call together, arm, array, and cause to be trained and exercised such persons within and for the said Tower Hamlets, in such manner as in and by an act, passed in the twenty-sixth year of the reign of his present Majesty, intituled, ^{c. 107. the provisions of which shall extend to} them.

*An act for amending and reducing into one act of parliament the laws relating to the militia in that part of Great Britain called England, directed with respect to the several counties, cities, and places, in the said act named; and that, from and after the passing of this act, all the powers and authorities given and granted by the said act of the twenty-sixth year aforesaid, or by any subsequent act or acts of parliament relating to the militia forces of this kingdom, and also all powers, provisions, rules, regulations, penalties, forfeitures, bounties, allowances, clauses, matters, and things, contained in any such act or acts, shall be applied, practised, and put in execution, with respect to the militia to be raised within and for the said hamlets, in as full and ample a manner as if the said powers, authorities, provisions, rules, regulations, penalties, forfeitures, bounties, allowances, clauses, matters, and things, had been expressly enacted in and by this act, save and except all such matters and things as are herein-after otherwise declared and provided; and that, from and after the passing of this act, the several powers and authorities given, granted, and contained, in an act, passed in the thirteenth and fourteenth years of the reign of King Charles the Second, intituled, *An act for ordering the forces in the several counties of this kingdom*, so far as the same are repugnant to this act, shall no longer be applied or put in execution with respect to the said Tower Hamlets.*

II. And be it further enacted, That the number of men to be raised in the militia of the said Tower Hamlets, out of and from following the several parishes, hamlets, manors, precincts, and liberties, proportions. within the same, shall be respectively as follows; (that is to say),

For the parish of Saint Mary, White Chapel, one hundred and thirty-two.

For the parish of Christ Church, seventy-eight.

For the liberty of Norton Falgate, thirty-one.

For the precinct of the Old Artillery, eleven.

For the parish of Saint Leonard, Shoreditch, one hundred and fifty-five.

For the parish of Saint John at Hackney, eighty-four.

For the parish of Saint Matthew, Bethnal Green, one hundred and twenty-two.

For the hamlet of Mile End, New Town, twenty-two.

For the hamlet of Mile End, Old Town, fifty-seven.

For the parish of Saint Leonard, Bromley, six.

For the parish of Saint Mary, Stratford le Bow, twenty-two.

For the hamlet of Poplar and Blackwall, twenty-six.

For the parish of Saint Ann, twenty-six.

For the hamlet of Ratcliff, forty-four.

For the parish of Saint Paul, Shadwell, seventy-one.

For the parish of Saint George, one hundred and ten.

<sup>13 and 14 Car.
2. c. 3. so
far as repug-
nant to this
act, not to be
applied to the
Tower Ham-
lets.</sup>

Men to be
raised in the
several parishes,
hamlets, manors,
precincts, and
liberties, propor-
tions.

For the parish of *Saint John of Wapping*, forty-five.
 For the manor or liberty of *East Smithfield*, forty-five.
 For the precinct of *Saint Catherines*, eleven.
 For the liberty of the *Tower Without*, five.
 For the parish of *Trinity, Minories*, eight.
 And for the precinct of *Well Close*, nine.

Constable, &c.
to appoint a
clerk and
messenger,
and officers
who have been
approved by
the King.

A general
court of lieu-
tenancy to be
held.

Residents in
the hamlets
and peace of-
ficers subject
to the like
duties, &c. as
in counties at
large.

When embo-
died, his Ma-
jesty may put
one regiment
under the
command of
general offi-
cers to be led
to a certain
distance.

Constable, &c.
may continue
to raise trophy
money.

III. And be it further enacted, That the said constable, and lieutenant, and in his absence, or on any vacancy as aforesaid, three or more deputy lieutenants, at a publick meeting as aforesaid, may and shall appoint a clerk and messenger, and also such militia officers as have been usually appointed for the said hamlets, the names of such officers having been first presented to and approved by his Majesty.

IV. And be it further enacted, That the said constable, or lieutenant of the said hamlets, or in his absence, the deputy lieutenants aforesaid, or any three or more of them, shall, and they are hereby empowered and required to hold a general court of lieutenancy, for the said hamlets, on the second *Thursday* next after the passing of this act, for carrying the purposes of this act duly into execution.

V. And be it further enacted, That the several persons residing within the said *Tower Hamlets*, and all high and peity constables, headboroughs, and other peace officers, of and for all and every part of the said hamlets, shall be subject to the like duties, restrictions, penalties, and punishments, as persons residing in the several counties at large, and the peace officers acting within and for the same, are by any laws now in being, relating to the militia forces, subject or liable to.

VI. And be it further enacted, That whenever the said militia shall be drawn out and embodied, one regiment thereof shall remain within the said district of the tower, called the *Tower Hamlets*, for the defence and preservation thereof; and it shall be lawful for his Majesty to put the other regiment of the said militia under the command of such general officers as his Majesty shall be pleased to appoint, and to direct the said other regiment to be led by its respective officers into any parts of this kingdom, not exceeding the distance of twelve miles from the tower of *London*, or to the nearest place of encampment, barracks, or quarters, beyond the said distance of twelve miles, for repelling and preventing any invasion, and for the suppression of any rebellion or insurrection within the realm of *Great Britain*.

VII. Provided always, and be it further enacted, That it shall be lawful for the said constable, or lieutenant and deputy lieutenants, or any three or more of them respectively as aforesaid, to continue to raise and levy in every year, the proportion of one month's assessment of trophy money within the said hamlets, as he or they have been used to do by virtue and in pursuance of the said act passed in the thirteenth and fourteenth years of the reign of his late majesty King *Charles the Second*.

VIII. And

VIII. And be it further enacted, That the estates requisite for Qualification
the qualification of the deputy lieutenants and officers of the militia or officers.
for the *Tower Hamlets* shall be as follows; (that is to say), Every
deputy lieutenant shall be seised or possessed, either in law or
equity, for his own use and benefit, in possession, of a freehold,
copyhold, or customary estate for life, or for the life of his wife,
(she having a freehold, copyhold, or customary estate for her
life), or for some greater estate, or of an estate for some long
term of years, determinable on one or more life or lives, or of
an estate for a term originally granted for twenty-one years or
more, in manors, messuages, lands, tenements, and heredita-
ments, in any part of the kingdom called *Great Britain*, of the
yearly value of one hundred pounds, or shall be heir apparent of
some person who shall in like manner be seised or possessed of a
like estate as aforesaid, of the yearly value of two hundred
pounds; a colonel shall be, in like manner, seised or possessed of
a like estate as aforesaid, of the yearly value of three hundred
pounds, or shall be heir apparent of a person who shall, in like
manner be seised or possessed of a like estate as aforesaid, of the
yearly value of six hundred pounds; a lieutenant colonel, or
major commandant, shall, in like manner, be seised or possessed
of a like estate as aforesaid, of the yearly value of two hundred
pounds, or shall be heir apparent of a person who shall, in like
manner, be seised or possessed of a like estate as aforesaid, of the
yearly value of four hundred pounds; a major or captain shall,
in like manner, be seised or possessed of a like estate as aforesaid,
of the yearly value of one hundred pounds, or shall be son of a
person who shall be, or at the time of his death was, in like
manner, seised or possessed of a like estate as aforesaid, of the
yearly value of two hundred pounds; a lieutenant shall, in like
manner, be seised or possessed of a like estate as aforesaid, of the
yearly value of thirty pounds, or shall be possessed of a personal
estate alone to the amount of six hundred pounds, or seised or
possessed of real and personal estate together, to the amount or
value of one thousand pounds, or shall be the son of a person who
shall be, or at the time of his death was, in like manner, seised
or possessed of a like estate as aforesaid, of the yearly value of fifty
pounds, or who shall be, or at the time of his death was, pos-
sessed of a personal estate alone, to the amount of one thousand
pounds, or seised or possessed of real and personal estate together,
to the amount or value of two thousand pounds; an ensign shall,
in like manner, be seised or possessed of a like estate as aforesaid,
of the yearly value of fifteen pounds, or shall be possessed of a
personal estate alone to the amount of two hundred pounds, or
seised or possessed of real and personal estate together, to the
amount or value of four hundred pounds, or shall be the son of
a person who shall be, or at the time of his death was, in like
manner seised or possessed of a like estate as aforesaid, of the
yearly value of thirty pounds, or who shall be, or at the time of
his death was, possessed of a personal estate alone, to the amount
of

Estates granted for 20 years of annual value equal to those required for qualifications, sufficient.

No rank superior to lieutenant to be given till the qualification be delivered to the clerk of the peace, &c.

Clerk of the peace to enter qualifications in a roll, and dates of commissions, &c. in the Gazette.

Deputy lieutenants, &c. to take the oaths within six months.

of five hundred pounds, or seized or possessed of real and personal estate together, to the amount or value of one thousand pounds.

IX. And be it further enacted, That a person possessed, either in law or equity, for his own use and benefit, in possession of an estate for a certain term, originally granted for twenty years or more, of an annual value (over and above all rents and charges payable out of or in respect of the same) equal to the value of such an estate as is required for the qualification of a deputy lieutenant and commissioned officer of the militia respectively, shall be and is hereby deemed and declared to be sufficiently qualified to act in the execution of this act.

X. And be it further enacted, That no person shall hereafter be appointed to be deputy lieutenant of the *Tower Hamlets* aforesaid, or be appointed to a higher rank in the militia, than that of a lieutenant, until he shall have delivered in to the clerk of the peace for the liberties of the *Tower*, or (in his absence) to his deputy, a specific description in writing, signed by himself, of his qualification, stating the county, parish, or place, in which the estate or estates which from his qualification is or are situate; and the clerk of the peace, or his deputy, shall transmit to the lieutenant of the said hamlets, a copy of such description, and no commission granted after the passing of this act, for a higher rank in the militia than that of lieutenant shall be valid, unless it be declared in the commission that the officer to whom the commission is given, hath delivered in his qualification as above directed.

XI. And be it further enacted, That the clerk of the peace for the liberties aforesaid, shall, and he is hereby required to enter the qualification transmitted to him, according to the directions of this act, upon a roll to be provided and kept for that purpose, and to cause to be inserted in the *London Gazette*, the dates of the commissions, and names and ranks of the officers appointed, together with the names of the officers in whose room they shall be appointed, if the case shall require the same, in like manner as commissions in the army are directed to be published from the war office; and he is hereby authorised to charge the expence of such insertion in the *Gazette* for each commission, to the treasurer for the time being of the county of *Middlesex*, who is hereby directed to pay the same; and every deputy lieutenant and commissioned officer not having already taken and subscribed the oaths, and made, repeated, and subscribed the declaration as required by the laws in force at and immediately before the passing of this act, shall, at some general or quarter sessions of the peace, or in one of his Majesty's courts of record at *Westminster*, within six months after he shall have accepted his commission, take the oaths appointed to be taken by an act, passed in the first year of the reign of his majesty King George the First, intituled, *An act for the further security of his Majesty's person and government, and the succession of the crown in the heirs of the late princess Sophia, being Protestants; and for extinguishing the hopes of the pretended prince of Wales, and his open and secret abettors*; and also by an act, passed in the sixth year of the reign of his present Majesty, intituled,

tuled, *An act for altering the oath of abjuration and the assurance; and for amending so much of an act of the seventh year of her late majesty Queen Anne, intituled, 'An act for improvement of the union of the two kingdoms,' as, after the time therein limited, requires the delivery of certain lists and copies therein mentioned, to persons indicted of high treason, or misprision of treason; and shall also make, repeat, and subscribe the declaration in the said act of the first year of King George the First, directed to be made, repeated, and subscribed, by all officers, civil and military.*

XII. And be it further enacted, That if any person shall execute any of the powers hereby directed to be executed by deputy lieutenants, colonels, lieutenant colonels, or majors, not being qualified as aforesaid, or without having delivered in such specific description of his qualification as is herein-before required, every such person shall forfeit and pay the sum of one hundred pounds; and if any person shall execute any of the powers hereby directed to be executed by captains not being qualified as aforesaid, or without having delivered in such specific description of his qualification as is herein-before required, every such person shall forfeit and pay the sum of fifty pounds, one moiety of which said several penalties shall go to the use of his Majesty, his heirs and successors, and the other moiety thereof to the use of the person who shall sue for the same; and in every such action, suit, or information, the proof of his qualification shall be upon the person against whom the same is brought.

XIII. And be it further enacted, That all indictments and prosecutions for any offence committed within any part of the said *Tower Hamlets*, relating to the said militia laws, or to any offence committed against this act, or in disobeying the order or orders of the justice or justices of the peace herein-after mentioned, shall be preferred before, and heard and determined by the justices assembled at some general quarter sessions of the peace to be holden for the said liberties of the *Tower*, or the major part of them so assembled, and not elsewhere; which said justices are hereby empowered to hear and determine the same, and to make and give such order and judgement therein, and to inflict such punishment in consequence thereof, as in the like cases by law is now used or directed: and all high and petty constables and other peace officers, of and for all and every or any part of the said *Tower Hamlets*, are hereby directed and required to execute all and every order and orders of the said justices, in all or any of the premises aforesaid.

XIV. And be it further enacted, That when any summons, warrant, conviction, order, judgement, or other matter or thing, in the execution of this act, or of the said militia laws, be so made and done by the justice and justices of the peace for the *Tower liberties*, who are hereby empowered and directed to hear and determine the same, and to make such summons, warrant, conviction, order, adjudication, and judgement therein as to law doth appertain, all and every the high and petty constables, and other

Penalty on unqualified persons, or who have not delivered in their qualifications, for acting, &c.

Prosecutions to be heard and deter-mined by the general quar-ter sessions for the *Tower liberties*.

to obey the order of the justices of the said liberties.

Anno regni tricesimo septimo GEORGII III. c. 25. [1796.]
 other peace officers aforesaid, are hereby directed to obey the order of the said justice and justices therein.

Deputy lieutenants or officers who are justices may act as such.

Appeal may be made to the general quarter sessions.

Proceedings not to be quashed for want of form, or removable into any court.

24 Geo. 2.
c. 44. to extend to this act.

Plaintiff not to recover costs, where injury was malicious.

XV. Provided also, and be it further enacted, That any justice or justices of the peace for the said liberties may act in the execution of the premises aforesaid, notwithstanding he may be a deputy lieutenant of the said hamlets or officer in the said militia; and that any such justice of the peace for the said liberties of the Tower, dwelling or being within the said hamlets, may act for the said liberties in the execution of this act, or in any other case whatsoever relating to the said militia laws at any place within the said hamlets.

XVI. And be it further enacted, That if any person or persons shall think him, her, or themselves aggrieved, by the act of any justice or justices of the peace as aforesaid, he, she, or they, may appeal to the general quarter sessions of the peace, to be holden in and for the said liberties, or any adjournment thereof, within three calendar months next after the cause of such complaint shall arise, such appellant first giving ten days notice in writing to the justice or justices by whose act or acts such person or persons shall think himself, herself, or themselves aggrieved, of his, her, or their intention to appeal, and at the same time entering into a recognizance before some justice of the peace for the said liberties, with two sufficient sureties conditioned to try such appeal at, and abide the order of, and to pay such costs as shall be awarded by the justices at such sessions, which said justices at or in such sessions, or at any adjournment thereof, or at any subsequent sessions, upon due proof of notice being given as aforesaid, and of the entering into such recognizance, shall and are hereby empowered to hear and determine the causes and matters of such appeal in a summary way, and to award such costs to the parties appealing or appealed against, and to make such order and orders therein as the said justices shall think necessary, which said determination shall be binding, final, and conclusive to all intents and purposes whatsoever: provided always, That no proceedings to be had or taken by any justice or justices of the peace in the execution of this act, shall be vacated or quashed for want of form, or be removed or removeable into any court by *Certiorari*, or other writ or process whatsoever.

XVII. And be it further enacted, That the statute made in the twenty-fourth year of the reign of his late majesty King George the Second, intituled, *An act for rendering justices of the peace more safe in the execution of their office, and for indemnifying constables and others acting in obedience to their warrants*, shall extend to the deputy lieutenants, justices of the peace, constables, headboroughs, peace officers, and other persons whatsoever, acting under the authority or in the execution of this act, or in any wise aiding or assisting therein.

XVIII. And be it further enacted, That when a verdict shall be given for the plaintiff in any action or suit brought, after notice shall have been given pursuant to the said statute, and it shall not appear to the court that the injury complained of was maliciously

1796.] Anno regni tricesimo septimo GEORGII III. c. 26—28. 191

maliciously done, the plaintiff shall recover no costs, nor more than two-pence damages.

XIX. And be it further enacted, That this act shall be deemed Publick act, and taken to be a publick act; and be taken notice of, and allowed in all courts whatsoever, without the same being specially pleaded.

XX. Saving always, to the King's most excellent majesty, General his heirs and successors, and to the constable or lieutenant of the said hamlets for the time being, and the officers and ministers of the same, or of any part thereof, and to the governor of the fort of the Tower for the time being, and the officers and ministers of the same, and to all other person and persons whatsoever, all jurisdictions, powers, privileges, exemptions, and immunities whatsoever, belonging or heretofore used or enjoyed.

C A P. XXVI.

An act to provide for the more speedy payment of all navy, victualling, and transport bills, that shall be issued in future. — [December 30, 1796.]

WHEREAS it is expedient to provide for the more speedy payment of all navy, victualling, and transport bills: may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, every bill issued by Navy, victualling, and transport offices respectively, shall be made payable on a certain day, to be expressed in each particular bill, which day shall not be later than three calendar months from the date of such bill; and that every such bill shall carry an interest after three months the rate of three-pence half-penny per centum per diem, which shall commence from the date of the same, and shall be paid at the time when such bill shall become payable; any former law or usage to the contrary thereof notwithstanding.

C A P. XXVII.

An act for allowing further time for the payment of instalments to become due on certain sums advanced by way of loan, pursuant to an act of the thirty-fifth year of the reign of his present Majesty, intituled, An act for enabling his Majesty to direct the issue of exchequer bills to a limited amount, for the purposes, and in the manner therein mentioned; and for granting further relief to persons connected with and trading to the islands of Grenada and St. Vincent.— [December 30, 1796.]

C A P. XXVIII.

An act to remove doubts respecting promissory notes of the governor and company of the bank of England for payment of sums of money under five pounds.— [March 3, 1797.]

WHEREAS

Anno regni tricesimo septimo GEORGII III. c. 25. [1796.
other peace officers aforesaid, are hereby directed to obey the
order of the said justice and justices therein.

Deputy lieu-
tenants or
officers who
are justices
may act as
such.

Appeal may
be made to
the general
quarter ses-
sions.

Proceedings
not to be
quashed for
want of
form, or re-
moveable into
any court.

24 Geo. 2.
c. 44. to ex-
tend to this
act.

Plaintiff not
to recover
costs, where
injury was
not malicious-
ly done.

XV. Provided also, and be it further enacted, That any justice or justices of the peace for the said liberties may act in the execution of the premises aforesaid, notwithstanding he may be a deputy lieutenant of the said hamlets or officer in the said militia; and that any such justice of the peace for the said liberties of the Tower, dwelling or being within the said hamlets, may act for the said liberties in the execution of this act, or in any other case whatsoever relating to the said militia laws at any place within the said hamlets.

XVI. And be it further enacted, That if any person or persons shall think him, her, or themselves aggrieved, by the act of any justice or justices of the peace as aforesaid, he, she, or they, may appeal to the general quarter sessions of the peace, to be holden in and for the said liberties, or any adjournment thereof, within three calendar months next after the cause of such complaint shall arise, such appellant first giving ten days notice in writing to the justice or justices by whose act or acts such person or persons shall think himself, herself, or themselves aggrieved, of his, her, or their intention to appeal, and at the same time entering into a recognizance before some justice of the peace for the said liberties, with two sufficient sureties conditioned to try such appeal at, and abide the order of, and to pay such costs as shall be awarded by the justices at such sessions, which said justices at or in such sessions, or at any adjournment thereof, or at any subsequent sessions, upon due proof of notice being given as aforesaid, and of the entering into such recognizance, shall and are hereby empowered to hear and determine the causes and matters of such appeal in a summary way, and to award such costs to the parties appealing or appealed against, and to make such order and orders therein as the said justices shall think necessary, which said determination shall be binding, final, and conclusive to all intents and purposes whatsoever: provided always, That no proceedings to be had or taken by any justice or justices of the peace in the execution of this act, shall be vacated or quashed for want of form, or be removed or removeable into any court by *Certiorari*, or other writ or process whatsoever.

XVII. And be it further enacted, That the statute made in the twenty-fourth year of the reign of his late majesty King George the Second, intituled, *An act for rendering justices of the peace more safe in the execution of their office, and for indemnifying constables and others acting in obedience to their warrants*, shall extend to the deputy lieutenants, justices of the peace, constables, headboroughs, peace officers, and other persons whatsoever, acting under the authority or in the execution of this act, or in any wise aiding or assisting therein.

XVIII. And be it further enacted, That when a verdict shall be given for the plaintiff in any action or suit brought, after notice shall have been given pursuant to the said statute, and it shall not appear to the court that the injury complained of was maliciously

1796.] Anno regni tricesimo septimo GEORGII III. c. 26—28. 191
maliciously done, the plaintiff shall recover no costs, nor more than two-pence damages.

XIX. And be it further enacted, That this act shall be deemed Publick act, and taken to be a publick act; and be taken notice of, and allowed in all courts whatsoever, without the same being specially pleaded.

XX. Saving always, to the King's most excellent majesty, General his heirs and successors, and to the constable or lieutenant of the said hamlets for the time being, and the officers and ministers of the same, or of any part thereof, and to the governor of the fort of the Tower for the time being, and the officers and ministers of the same, and to all other person and persons whatsoever, all jurisdictions, powers, privileges, exemptions, and immunities whatsoever, belonging or heretofore used or enjoyed.

C A P. XXVI.

An act to provide for the more speedy payment of all navy, victualling, and transport bills, that shall be issued in future. — [December 30, 1796.]

WHEREAS it is expedient to provide for the more speedy payment of all navy, victualling, and transport bills: may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, every bill issued by Navy, victualling, and transport offices respectively, shall be made payable on a certain day, to be expressed in each particular bill, which day shall not be later than three calendar months from the date of such bill; and that every such bill shall carry an interest after three months the rate of three-pence half-penny per centum per diem, which shall commence from the date of the same, and shall be paid at the time when such bill shall become payable; any former law or usage to the contrary thereof notwithstanding.

C A P. XXVII.

An act for allowing further time for the payment of instalments to become due on certain sums advanced by way of loan, pursuant to an act of the thirty-fifth year of the reign of his present Majesty, intituled, An act for enabling his Majesty to direct the issue of exchequer bills to a limited amount, for the purposes, and in the manner therein mentioned; and for granting further relief to persons connected with and trading to the islands of Grenada and St. Vincent.— [December 30, 1796.]

C A P. XXVIII.

An act to remove doubts respecting promissory notes of the governor and company of the bank of England for payment of sums of money under five pounds.— [March 3, 1797.]

WHEREAS

Preamble.

WHÈREAS it is expedient for the publick service, and for the convenience of commercial circulation, that the governor and company of the bank of England should issue promissory notes, payable to bearer, for sums of money under five pounds; now, to avoid any doubt concerning the validity thereof, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all promissory notes, and other notes for payment of money, which, since the second day of March one thousand seven hundred and ninety-seven, have been, or which hereafter shall be issued by the governor and company of the bank of England, payable to bearer, notwithstanding the same shall have been, or shall be, made and issued for the payment of any sum of money under the sum of five pounds, shall be good and valid in the law, to all intents and purposes, in like manner as if the same had been made and issued for the sum of five pounds, or upwards; any law, statute, or usage, to the contrary thereof in anywise notwithstanding.

All notes issued by the bank after March 2, 1797, for sums under £1. shall be valid.

No person making or negotiating such notes liable to penalty.

Act may be altered or repealed this session.

II. And be it further enacted, That no person concerned, or who has acted in, or who shall or may be concerned or act in, the making, uttering, publishing, or negotiating, such notes, shall be subject or liable to any penalty or forfeiture whatsoever in respect thereof.

III. And be it further enacted, That it shall be lawful to alter, vary, or repeal, this act, or any part thereof, in this present session of parliament.

C A P. XXIX.

An act for making and maintaining a navigable canal from Guinea Port, in the parish of St. Breock, in the county of Cornwall, to Dunmeer Bridge, in the parish of Eodmin, in the said county; and also a certain collateral cut from Cotton Wood, to or near to Rutherford Bridge, in the said parish of Bodmin.—[March 3, 1797.]

Certain proprietors incorporated by the name of 'The Company of Proprietors of the Polbrook Canal.' Proprietors may raise £8,000. to be divided into shares of £1 each. Shares to be personal estate. Subscribers to have a vote for every share. Proprietors may raise £2,000. more if necessary. Power to raise money by mortgage. First general assembly of proprietors to be held at Bodmin, upon the Monday month after passing this act. General assemblies for choosing committees, to consist of one hundred shares. General assembly to elect and appoint officers, and to take security from them. Powers of the committees. Committees to make calls. Shares may be sold. Names of proprietors to be entered in a book by the clerk, and tickets of their shares delivered to them. Powers for making the canal and collateral cut. Power to make rollers or inclined planes. Houses, gardens, &c. not to be injured. Breadth of canal and towing paths to be thirty yards. A basin to be made at Guinea Port. Bolicies politick, &c. empowered to sell and convey lands to the company. Commissioners appointed to settle differences. If parties are dissatisfied with the determination of the commissioners, value to be ascertained by a jury. Rates. For freestone, limestone, brick, tiles, slates, corn in the straw, hay, straw, faggots, dung, manure, sand, stones and clay, two-pence per ton, per mile. For cattle, calves, sheep, swine and other beasts,

beasts, and coal, charcoal, coak, culm and lime, and rough timber, bark, tin, iron ston, pig iron, and pig lead; and flour, wheat, barley, oats, beans, pease, and potatoes, three-pence per ton, per mile. For all other goods, &c. sixpence, per ton, per mile. Tolls for passing on the towing paths. For a horse, &c. one penny. For oxen, ten-pence a score. For swine, sheep or lambs, five-pence a score. Navigation to be free on payment of rates. Vessels under eight tons burthen not to pass locks without consent of proprietors. Lords of manors and land owners may erect wharfs, &c. Drains to be made to convey water from the lands adjoining; and watering places for cattle. For fencing off towing paths and making bridges, &c. Works damaged by flood, to be repaired by the company.

C A P. XXX.

An act for enabling the company of proprietors of the Grantham canal navigation to finish and complete the same, and the collateral cut to communicate therewith; and for amending the act of parliament, passed in the thirty-third year of the reign of his present Majesty, for making and maintaining the said canal and collateral cut. — [March 3, 1797.]

C A P. XXXI.

An act to enable the East India company to raise money by further increasing their capital stock, and to extend the provisions now existing respecting the present stock of the company to the said increased stock. — [March 7, 1797.]

WHEREAS the affairs of the united company of merchants Preamble.

of England trading to the East Indies require a permanent advance of a considerable sum of money beyond what the said company can raise under the powers now vested in them by law; and it is expedient that such money should be raised by an increase of their capital stock; may it therefore please your most excellent Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present par-

liament assembled, and by the authority of the same, That it shall and may be lawful to and for the said united company, and they are hereby authorised and empowered, by and with the consent and approbation of the commissioners of his Majesty's treasury for the time being, or any three or more of them, or of the high treasurer for the time being, from time to time, and at any time or times hereafter, to open books and receive subscriptions from any person or persons, natives or foreigners, bodies politick or corporate, for enlarging their present capital stock or fund of six millions of pounds to any sum or sums, not exceeding the further sum of two millions capital stock, so that their whole capital stock shall not exceed the capital sum of eight millions; which said additional capital stock shall from time to time be subscribed and paid for at such rate for every one hundred pounds of such stock as the court of directors of the said united company, with the consent and approbation of the commissioners of his Majesty's treasury for the time being, or any three or more of them, or of the high treasurer for the time being, shall direct; which said subscriptions shall be made, and the money for the said

The company, with
content of the
treasury,
may add
2,000,000.
to their capi-
tal stock.

Subscribers to
be incorpor-
ated with the
company.

additional stock shall, from time to time, be paid, in such manner and form, and by such instalments and proportions, as the said court of directors, with such consent and approbation as aforesaid, shall appoint; and the capital stock so subscribed and paid for, shall, from and after the time of such payment, be deemed, considered, and taken, as and for a part of the capital stock of the said company; and the said subscribers, from and after the time of making full payment for the said additional stock, and their respective executors or administrators and assigns, shall at all times be deemed and reputed to be members of the said united company, and incorporated therewith, and shall be entitled unto, and have, hold, and enjoy all and every the profits, benefits, privileges, advantages, and immunities, and be subject and liable to all and every the regulations, rules, and orders, whereto the present stockholders and members of the said united company, in respect of the stock held by and belonging to them, are respectively entitled, subject, and liable unto by any act or acts of parliament, charter, or bye-law, or otherwise howsoever; and the said additional stock shall be transferrable and assignable in the like manner, and the proprietors and holders thereof shall hold their respective shares of the said additional stock in like manner, as the respective present stockholders of the said company now do, and hereafter shall hold and enjoy the respective sums now belonging to them in the present capital stock of the said united company, and the same shall in all respects be consolidated and united as one joint stock.

The like di-
vidends to be
paid on the
additional as
on the present
stock.

II. And be it further enacted by the authority aforesaid, That the said united company shall and may, from time to time, make and pay the like dividends to the proprietors of the said additional stock as they now do, and hereafter shall and may make and pay to the proprietors and holders of the present stock of the said united company, the first of which said dividends shall commence from such time as shall be specified in the proposals or terms to be offered for the said subscription, by the said court of directors, with such consent and approbation as aforesaid.

Preference to
be given to
present pro-
prietors, not
exceeding 50.
per cent. of
their capital.

III. Provided nevertheless, and be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said court of directors, with such consent and approbation as aforesaid, to give the option and preference in subscribing for the said additional stock, to such persons as shall hold the said company's stock at the time or times of such subscription as aforesaid, as far as and not exceeding the amount of fifty pounds *per centum* on the capital stock, which shall then be held by each stockholder so subscribing, for all such sums as they shall subscribe, on or before a day to be named by the said court of directors, with such consent and approbation as aforesaid; and in case the subscriptions made by them, on or before such day, shall exceed the sum proposed to be sold at that time, a proportionable deduction shall be made from each subscription; and if such subscription shall, on the close thereof on such day as aforesaid, fall short of the sum proposed to be sold, the deficiency shall be disposed

If their sub-
scriptions be
more than
sufficient, a
proportion-
able deduc-
tion to be
made; and if

posed of to other persons, as the said court of directors; with less, the deficiency may be supplied by such consent and approbation as aforesaid, shall think fit.

IV. Provided always, and be it further enacted by the authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to prevent or restrain the court of directors of the said united company, by and with such consent and approbation as aforesaid, from agreeing with one or more person or persons, bodies politick or corporate, for the sale of the whole of the said additional capital stock, or for such part or parts thereof, as they shall from time to time think fit, and find it necessary and proper to sell; but it shall and may be lawful for the said court, with such consent and approbation as aforesaid, to contract for and agree to sell the whole, or any part thereof, to one or more person or persons.

V. And be it further enacted by the authority aforesaid, That Receipts to be given for deposits, which may be assigned as soon as reasonably may be after the deposit or first payment shall be made for the said additional stock to be subscribed for, the said company's cashier or treasurer shall give a receipt for the same, and so from time to time as future payments shall be made; when said receipts shall be assignable and transferable by indorsement thereon; and when the last payment shall be made on the said additional stock to be subscribed for as aforesaid, the holder of such receipt, on delivering up the same, shall have his or her name entered in proper books to be kept by the said united company for that purpose, with an account of the capital stock belonging to each proprietor in like manner as the accounts of the present proprietors of India stock are kept.

VI. Provided always nevertheless, and be it further enacted, That in case any subscriber or subscribers, after having subscibed, shall fail in making all or any the payments agreed at the respective times for such payments, then and in every such case the said united company shall and may take in subscriptions for, and sell the stock subscribed for by such defaulter, to any other person or persons; and all deposits and payments made by such defaulter, previous to such default, shall be forfeited to and become the property of the said united company.

VII. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any guardian or trustee having the disposition of the money of any infant, to subscribe and pay for the said additional stock, or any part thereof, upon the terms and conditions contained in this act; and such infant, upon the payment of such sum or sums by such guardian or trustee, shall be entitled unto the stock so subscribed and paid for on his account, and to all advantages in respect thereof, in like manner as any other purchaser or subscriber; and the said guardian or trustee, as to the sum or sums advanced by him, shall be, and is hereby discharged in respect thereof, so as the name of such infant shall be expressed in the receipt or receipts for such money.

VIII. And whereas, by an act made in the thirty-third year of 33 Geo. 3. c. the reign of his present Majesty, intituled, An act for continuing in 52, recited.

the East India Company, for a further term, the possession of the British territories in India, together with their exclusive trade, under certain limitations; for establishing further regulations for the government of the said territories, and the better administration of justice within the same; for appropriating to certain uses the revenues and profits of the said company; and for making provision for the good order and government of the towns of Calcutta, Madras, and Bombay, it was (amongst other things) enacted, That, during the continuance of the exclusive trade to the said company, the net proceeds of their sales of goods at home, with the duties and allowances arising by private trade, and all other profits of the said company in Great Britain, after providing for the payment of bills of exchange then already accepted by the said company, as the same should become due, and for the current payments of other debts, interest, and other outgoings, charges, and expences of the said company (their bond debt always excepted), should be applied and disposed of in the following manner; (that is to say), First, in the payment of a dividend after the rate of ten pounds per centum per annum, on the present or any future amount of the capital stock of the said company, the first half-year's payment thereof to commence and be made at Midsummer one thousand seven hundred and ninety-three; secondly, in payment of five hundred thousand pounds per annum, the same to be set apart on the first day of March and the first day of September, half-yearly, in equal portions, and applied in the discharge of bills of exchange drawn or to be drawn in India, for the transfer or remittance of the debts of the said company from thence to Great Britain, for the diminution of such debts, until the same should be reduced to two crores of current rupees, or two millions of pounds sterl^{ing}; thirdly, in payment of a sum not exceeding five hundred thousand pounds in every year into the receipt of his Majesty's exchequer, to be applied as parliament should direct; and that, until the said debts in India should be reduced to the amount of two crores of current rupees, or two millions of pounds sterl^{ing}, the ultimate surplus which should remain of the said net proceeds, after such payments thereout made as aforesaid, should and might be from time to time set apart and applied in augmentation of the said fund or annual sum of five hundred thousand pounds a year, thereby appropriated for the reduction of the said debts in India, in and for the reduction thereof by the discharge of any further bills of exchange to be drawn from thence either for the transfer and remittance thereof to Great Britain, or for loans of money to be borrowed on the credit of any bills of exchange which should be granted by the order of the court of directors to any greater amount than was therein before limited or directed in that behalf, or otherwise it should be lawful for the said court of directors to apply any part of the said ultimate surplus of the said net proceeds in the payment of any debts of the said company in Great Britain (the bond debt therein mentioned, of one million five hundred thousand pounds only excepted), or to the purchase of any goods, wares, or other merchandise, to be disposed of in India or China, and to appropriate the produce thereof in and towards the more speedy diminution of the said debts in India; and that when and so soon as the said debts in India should

should have been reduced to the amount therein before limited in respect thereof, and the bond debt in Great Britain to one million five hundred thousand pounds, the surplus of the said net proceeds, after providing for the current payments of interest, and other outgoings, charges, and expences, of the said company, and of a dividend after the rate of ten pounds per centum per annum on the said capital stock, and the said annual sum of five hundred thousand pounds to be paid into the exchequer, and after making good all former deficiencies in the said annual payments, otherwise than was provided by the said act, should be applied and disposed of in the manner following; (that is to say), One sixth part of the said surplus, computed and adjusted to the first day of March in every year, should be reserved and retained by the said company for their own use, and applied in augmentation of the dividends on their capital stock, and that the residue of the said surplus should be set apart, and from time to time paid by the said company into the bank of England, within the first week in April, in each year, to be there placed to the account of the commissioners appointed by an act of the twenty-sixth year of his Majesty's reign, intituled, An act for vesting certain sums in commissioners, at the end of every quarter of a year, to be by them applied in the reduction of the national debt, until the monies so paid, together with the sums arising by the growing interest thereof, should have amounted to twelve millions of pounds sterling: and that, from and after such payments, together with the monies so arising by the said growing interest, should have amounted to the said sum of twelve millions of pounds sterling, the said surplus should be, from time to time, paid into the receipt of his Majesty's exchequer, and be there placed to the account of the consolidated fund, as the property of the publick in full right: and it was thereby further enacted, That the governor and company of the bank of England should raise, and keep an account with the said commissioners in their books, to be intituled, The Account of the Guarantee Fund of the United Company of Merchants of England trading to the East Indies; and that as well all such monies as should be paid by the said united company to the said governor and company, by virtue of that act, as also the annual dividends or interest to arise therefrom, in manner by that act provided, should be placed to the said account, and should be severally and respectively under the order and direction of the said governor and company of the bank of England, laid out and invested in the names of the said commissioners in the purchase of capital stock in any of the redeemable publick annuities transferrable at the bank of England, the same to be transferred to the said commissioners, on account of the said guarantee fund in the books of the said governor and company of the bank of England, and that the dividends payable thereon, should from time to time be received by the said governor and company of the bank of England, and be placed to the account of the said commissioners: and it was thereby further enacted, That when and after the monies paid by the said united company to the said governor and company of the bank, together with the monies received for dividends on the capital stock of annuities purchased therewith, and with the proceeds thereof, should have amounted to twelve millions of pounds sterling, the dividends of the

said capital stock of annuities should, in preference to any other disposition thereof, be subject and liable to make good so the said united company, for and during such time as they shall continue to trade with a joint stock, any deficiency or deficiencies in their own funds, applicable to the payment of the dividends in the said act mentioned of ten pounds per centum per annum on the capital stock of the said united company, if any such deficiency should happen in such payment or payment; and that when there should be no such deficiency, or being such after the same should be made good out of the said dividends, such dividends, or the surplus thereof, should be deemed to be the property of the publick, and should be paid, when and as often as the same should arise, by the governor and company of the bank of England into the receipt of the exchequer, and be there carried to the account of the consolidated fund: and it was further enacted, That the capital stock of annuities wherein or in the purchase whereof the said sum of twelve millions of pounds sterling should be invested pursuant to the directions of that act, should be deemed and considered as a guarantee fund for the better securing to the said united company their capital stock, or the value thereof, such value being always computed for that purpose after the rate of two hundred pounds for every one hundred pounds of such capital stock; and that if at the time of the right and title of the said united company to the said whole, sole, and exclusive trade (limited as in the said act mentioned) becoming determined, their own funds and effects, real and personal, should be insufficient to pay and satisfy all their just debts, and to make good to the said company their said capital stock, or the value thereof, computing the same after the rate of two hundred pounds for every one hundred pounds of the said stock, that then the said capital stock of annuities, or guarantee fund, should be deemed and considered, as far as the same should or might extend for that purpose, to be in the first place, and before any other application thereof, subject and liable to make good to the said company and their creditors the deficiency so arising in their own funds and effects for the purpose aforesaid; and that the said capital stock of annuities, or the surplus thereof, after making good such deficiency (if any such there should be) should remain and continue as a guarantee fund, for the better securing the capital stock of the said united company, or the value thereof, rating the same as aforesaid, after such determination of their whole, sole, and exclusive trade, for so long time as they should continue to trade with a joint stock, and subject thereto; and after making good all such deficiencies, the said capital stock of annuities, or so much thereof as should then remain, should be and be deemed the property of the publick, as by the said recited act may appear: and whereas it is just and expedient that after the stock of the said company shall be increased, the said guarantee fund should be also increased, so as to give the proprietors of the said increased stock the same security and benefit as the proprietors of the present stock of the said company are entitled to: be it therefore further enacted

fund of twelve millions of pounds sterling is to be raised, so recited act, to be also increased.
that the same may amount to the sum of the capital stock of the said company, computing the same at such rate as in the said recited act is mentioned; and the said guarantee fund, so encreased as aforesaid, shall be subject unto and a security for such payments, and shall be applied in the same manner in every respect, to all intents and purposes, as the said guarantee fund is directed to be paid and applied, so as to secure and make good to the creditors of the said company any deficiency of their funds for the payment of debts, and also any deficiency to the proprietors of the said increased stock, as well as the proprietors of the present stock, of the said company, of the said dividend of ten pounds per centum, and of the value of the said stock, at the times and under the circumstances, in the said act mentioned, rating such value at two hundred pounds for every one hundred pounds capital stock, as in the said act is mentioned.

X. And whereas, by the said act made in the thirty-third year of the reign of his present Majesty, taking notice of a fund, separately belonging to the said united company, and therein called The Company's separate Fund, it was enacted, That the said separate fund or the monies constituting the same, should continue in the hands of the said company, bearing interest, and be employed in their trade, subject to the payment of such dividends as were therein-after specified; and that the said separate fund, with the growing interest thereof, should be divided and distributed in the manner therein-after mentioned, and in no other manner whatsoever, that is to say, That after payment should be made by the company into his Majesty's exchequer of the two first instalments of two hundred and fifty thousand pounds each, which by force and virtue of that act would become due from the said company to the publick on the first day of July one thousand seven hundred and ninety-three, and the first day of January one thousand seven hundred and ninety-four, respectively, or otherwise, after setting apart a sufficient sum for such payments (which said payments were duly made agreeable to the provision of the said act), it should be lawful for the said company, out of the said separate fund, and the interest or growing income thereof, to make and declare a dividend or dividends after the rate of ten shillings per centum per annum on the present or any future amount of their capital stock, which said dividend or dividends should be paid and payable to the said company over and above any other dividend or dividends which should become due in respect thereof; and that after the expiration of the further term thereby granted in the said exclusive trade, it should be lawful for the said company to retain and dispose of what should then remain of the said company's separate fund, or of the monies constituting the same, and the interest or other annual proceeds thereof, in such manner as they should then think fit: and whereas the payment of the said dividend of ten shillings per centum to the proprietors of the said increased stock out of the said separate fund as in the said recited act is mentioned, will exhaust the same long before the expiration of the term of the said exclusive trade, to the injury of the present proprietors of the stock of the said company, who would thereby be deprived of such dividend for the remainder of the

Dividend of
10s. per cent.
payable under
recited act,
out of the se-
parate fund,
to be paid out
of the profits
of the com-
pany.

the said term, and in regard the money to be raised by the said increased stock is for the mutual benefit of the publick and the said united company, it is fit that the said dividend should be considered as a charge upon the said trade; be it therefore further enacted by the authority aforesaid, That the said dividend of ten shillings *per centum*, which under the authority of the said recited act will be payable to the proprietors of the said increased stock out of the said separate fund, shall be paid to them out of the annual profits of the said company, in the same manner, and at the same times, as the dividend of ten pounds *per centum* in the said act mentioned is to be paid to the proprietors of the stock of the said company; and for that purpose a sum equal to the amount of such dividends shall, from time to time, be debited to the annual account, as a charge on the said trade, and carried to the account of the said separate fund; any thing in the said recited act to the contrary notwithstanding.

Publick act.

X. And be it further enacted by the authority aforesaid, That this act shall be deemed and taken to be a publick act; and shall be judicially taken notice of as such, by all judges, justices, and other persons whomsoever, without specially pleading the same.

C A P. XXXII.

An act to suspend, for a limited time, the operation of two acts of the fifteenth and seventeenth years of the reign of his present Majesty, for restraining the negociation of promissory notes, and inland bills of exchange, under a limited sum, within that part of Great Britain called England.—[March 10, 1797.]

Preamble.
25 Geo. 3.
c. 51. and

17 Geo. 3.
c. 30, recited.

Recited acts,
so far as they
relate to the
making void
notes under
5l. payable on
demand to
bearer, sus-
pended till
May 1, 1797.

WHEREAS an act of parliament was passed in the fifteenth year of the reign of his present Majesty, intituled, An act to restrain the negociation of promissory notes, and inland bills of exchange, under a limited sum, within that part of Great Britain called England: and whereas another act was passed in the seventeenth year of the reign of his present Majesty, intituled, An act for further restraining the negociation of promissory notes, and inland bills of exchange, under a limited sum, within that part of Great Britain called England: and whereas it is expedient, that the said acts should be suspended for a certain time, so far as the same may relate to any notes, draughts, or undertakings, made payable on demand; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said recited acts, so far as the same relate to the making void of promissory notes, or draughts, or undertakings in writing, payable on demand to the bearer thereof, for any sum of money less than the sum of five pounds in the whole; and also to restrain the publishing or uttering and negotiating of any such notes, draughts, or undertakings as aforesaid, shall, from and after the second day of March one thousand seven hundred and ninety-seven, be, and the same is hereby

1796.] Anno regni tricesimo septimo GEORGII III. c. 33, 34. 201
hereby declared to be; to all intents and purposes, suspended
until the first day of May next.

II. Provided always, and be it further enacted, That this act ^{Act may be altered or repealed this session.} may be altered, varied, or repealed, by any act or acts to be made in this present session of parliament.

III. And be it further enacted by the authority aforesaid, That if any person liable to the payment of any of such notes, draughts, not paid with-^{If notes are days after demand, a justice may order payment with costs; and on neglect it shall and may be lawful for any one or more of his Majesty's same to be levied by distress.} or undertakings in writing, as may be issued in pursuance of this act, shall neglect or fail to make full payment in money of the sum or sums for which such notes, draughts, or undertakings in writing, shall be respectively given or issued, or so much thereof as shall be or remain due thereon respectively, by the space of three days after demand thereof made by the holder or holders of such notes, draughts, or undertakings in writing, as aforesaid, shall or may happen to be or reside, and such justice or justices is or are hereby required, upon complaint made by the holder or holders thereof to summon the person or persons against whom such complaint shall be made, and after his, her, or their appearance, or in default thereof, upon due proof upon oath, (and which oath such justice or justices is or are hereby empowered to administer), of such summons or warning having been given, such justice or justices shall proceed to hear and determine the said complaint, and award such sum to be paid by the person or persons respectively liable to the payment of every such note, draught, or undertaking in writing, to the holder or holders thereof, as shall appear to such justice or justices to be due thereon, together with such a sum for costs, not exceeding the sum of twenty shillings, as to such justice or justices shall seem meet; and if any person or persons shall refuse or neglect to pay or satisfy such sum of money as upon such complaint as aforesaid shall be adjudged, upon the same being demanded, such justice or justices shall, by warrant under his or their hand and seal, or hands and seals, cause the same to be levied by distress and sale of the goods of the party so neglecting or refusing as aforesaid, together with all costs and charges attending such distress and sale, returning the overplus, if any, to the owner.

C A P. XXXIII.

An act for punishing mutiny and desertion; and for the better payment of the army and their quarters.—[March 10, 1797.]

Number of forces 60,765, including 5,222 invalids.

C A P. XXXIV.

An act for the regulation of his Majesty's marine forces while on shore.—
[March 24, 1797.]

C A P.

C A P. XXXV.

An act for appointing commissioners for putting in execution an act of this session of parliament, intituled, An act for granting an aid to his Majesty by a land tax to be raised in Great Britain for the service of the year one thousand seven hundred and ninety-seven.—[March 24, 1797.]

C A P. XXXVI.

An act to enable the company of proprietors of the navigation from the Trent to the Mersey, to make a navigable canal from and out of a certain branch of their said navigation, called, The Caldon Canal, at or near Endon, to or near the town of Lock, in the county of Stafford; and also a reservoir for supplying the several canals of the said company with water.—[March 24, 1797.]

C A P. XXXVII.

An act to continue the laws now in force for regulating the trade between the subjects of his Majesty's dominions and the inhabitants of the territories belonging to the United States of America, so far as the same relate to the trade and commerce carried on between this kingdom and the inhabitants of the countries belonging to the said United States.—[March 27, 1797.]

C A P. XXXVIII.

An act for defraving the charge of the pay and cloathing of the militia, in that part of Great Britain called England, for the year one thousand seven hundred and ninety-seven.—[March 27, 1797.]

C A P. XXXIX.

An act to explain and amend an act, made in this present session of parliament, intituled, An act for raising a certain number of men in the several counties, stewartries, royal burghs, and towns, in that part of Great Britain called Scotland, for the service of his Majesty's army and navy.—[March 27, 1797.]

Preamble.

Act of pre-
sent session,
c. 5, recited;

and so much
thereof as
directs the
number of
men to be
raised for the
county and
the city of
Aberdeen, re-
pealed.

Number of
men to be
raised for the
county and
the city of
Aberdeen.

If the city
shall have de-

WHEREAS it is expedient that an act, passed in the present session of parliament, intituled, An act for raising a certain number of men in the several counties, stewartries, royal burghs, and towns, in that part of Great Britain called Scotland, for the service of his Majesty's army and navy, should be altered, explained, and amended: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That so much of the said act, as directs one hundred and fifty-four men to be levied for the county of Aberdeen, and thirty-two men for the city of Aberdeen, including the parish of Old Machar, shall be and is hereby repealed.

II. And be it enacted, That for the county of Aberdeen, including the whole of the parish of Old Machar, there shall be levied one hundred and fifty-nine men; and for the city of Aberdeen twenty-seven men.

III. And be it enacted, That in case the said city of Aberdeen shall have raised thirty-two men as directed by the said act, and delivered

delivered them over to the regulating officer, five of that number livered, 34 shall be added to those appointed to be raised by the said county; men, the ex- and the said county shall refund to the said city the expence in- pence of five curred in raising the said five men, to be calculated at the average by the county, rate of the expence of raising the said thirty two men, but not to exceed the sum of twenty-five pounds sterling for each man.

IV. And be it further enacted, That so much of the said act as directs two men to be levied for the town of Melrose, in the act as relates to the county of Roxburgh, and two men for the town of Newton, in of men to be the county of Wigton, shall be and is hereby repealed; and that raised for for the town of Melrose, and the villages of Danielton, Darnick, Melrose and Bridgend, Gattenfide, and Newstled, there shall be levied two Newton re-pealed, and men; and for the town of Newton Douglas two men. another ap-

V. And be it enacted, That so much of the said act as directs portioament five men to be levied for the town of Jedburgh, in the county of Roxburgh, shall be repealed; and that for the said town of Jedburgh as also for burgh there shall be levied three men, and that the remaining two men shall be levied for the said county.

VI. And be it further enacted, That so much of the said act as imposes the number of eight men upon the town of Thurso, in the county of Caithness, shall be repealed; and that the number of three men be raised by the said town of Thurso, and the remaining five by the said county of Caithness.

VII. And whereas by the said act, the trustees or magistrates respectively are authorised and required to divide and apportion bounties, fines, and penalties, among the inhabitants of any county or place, in such manner and by such rule as to them shall seem most expedient, and as may render the operation of the said act in such cases as equal and impartial as possible; but doubts having arisen whether the justices are authorised to apportion the number of men to be raised by each parish otherwise than according to the proportion which the valuation of each parish bears to the valuation of the whole county; be it therefore enacted and declared, That the justices of the peace, when apportioning the number of men to be raised by each parish, town, burgh, village, or place, if it shall appear to them, from the lists of inhabited houses or otherwise, that any town, burgh, village, or place, should be rated with a greater number of men than according to the valuation of the said parish, the justices are hereby authorised to separate the said burgh, town, village, or place, from the parish to which it belongs, and to apportion such a number of men upon such burgh, town, parish, or place, as to the said justices may seem just and reasonable; and where the justices have already acted in manner aforesaid, their proceedings and orders are hereby declared legal and valid.

VIII. And be it enacted, That every certificate granted to a person inrolled in virtue of the said act, or a full and true copy thereof, signed by the regulating officer, shall in all cases be transmitted along with the person inrolled, and delivered to the commanding officer of the regiment, battalion, or company, or of the ship, tender, or vessel of war in his Majesty's service, in which such person shall be inrolled or entered to serve; and such commanding officer shall in a

limited time make out tickets for payment of bounties remaining due, which shall be paid agreeably to c. 4. of the present session.

Time for which persons inrolled shall be liable to serve.

Persons in-
rolled accused
of capital
crimes, &c. to
be delivered
over to the
civil magis-
trate.

Penalty on
officers for
refusing to
deliver them

commanding officer shall, within four days from the time of such person being admitted into any regiment, or before such volunteer shall be compelled to go out of the county for which he shall serve, or from the time of such person's joining such regiment, which shall first happen, or from the time of such person being mustered and rated on board any such ship, tender, or vessel, and before such ship or vessel shall proceed to sea, as the case may be, make out a ticket or tickets for the payment of the bounty money agreed to be paid to such person on his engaging to serve, and then remaining due, and which shall be expressed in the certificate granted in that behalf, in such manner as if such bounty money had become due to such person on account of arrears of pay as a private man in such regiment, if such person shall enter into the army, or on account of wages as a landman or seaman on board such ship or vessel, if such person shall enter into the navy; and such bounty money shall and may be paid to such person, or to his family, in the manner directed in respect of men inrolled in *England*, by an act passed in the present session of parliament, intituled, *An act for raising a certain number of men in the several counties of England, for the service of his Majesty's army and navy*, and shall be reimbursed to the person so paying the same, by the collector of the cess for the particular shire, stewartry, burgh, or town.

IX. And be it further enacted, That every person inrolled by virtue of the said first recited act, and inlisted into any regiment or independant company of his Majesty's army, shall be liable to serve therein during the continuance of the present war, and for the space of one calendar month after the end of the war, if the regiment or independant company in which such person shall be serving shall be in *Great Britain*, or otherwise for the space of one calendar month next after the arrival of such regiment or company in *Great Britain*; and that every such person entering into the service of the navy, shall be liable to serve therein during the continuance of the present war, and for the space of one calendar month after the end of the war, if the ship on board which such person shall serve shall be in any of the ports of *Great Britain*, or otherwise for the space of one calendar month next after the arrival of such ship in any such port.

X. Provided always, and be it further enacted, That if any person inrolled in his Majesty's service, by virtue of the said first recited act, shall be accused of any capital crime, or of any violence or offence against the person, estate, or property, of any of his Majesty's subjects, which is punishable by the known laws of the land, the officer or officers having the command of such party, is and are hereby required to use his or their utmost endeavours to deliver over such accused person to the civil magistrate, and shall also be aiding and assisting to the officers of justice in seizing and apprehending such offender, in order to bring him to trial; and if any such officer shall wilfully neglect or refuse, upon application made to him for that purpose, to deliver over such accused person to the civil magistrate, or to be aiding or

or assisting to the officers of justice in apprehending such offender, every such officer so offending, and being thereof convicted before any two or more justices of the peace of the county where the fact is committed, by the oath of two creditable witnesses, shall be utterly disabled to have or hold any civil or military office or employment within this kingdom, or in his Majesty's service, provided the said conviction be affirmed at the next general quarter sessions of the peace for the said county, and a certificate thereof be transmitted to the commissioners of the treasury for the time being.

XI. And be it enacted, That no person who shall be inrolled in his Majesty's service, in virtue of the said first recited act, shall be liable to be taken out of his Majesty's service by any process whatever, other than by some criminal process for some criminal matter, punishable by the known laws of the land.

Persons in-
rolled not to
be taken out
of the service
but for a
criminal
matter.

XII. And be it further enacted, That the several forms of enrolment and of the return which the justices of the peace and other officers are required to cause to be made and returned of the number of men levied for his Majesty's service, together with the other particulars by the said first recited and this act directed, shall be made in the following form:

Returns to be
made in the
following
form.

Names of men en- rolled.	Volun- teers or substitutes.	County or burgh for which they serve.	Parishes they be- long to.	Ages.	Sums paid to volun- teers or substitutes.	Sums paid to the collectors of the cess, and to whom.	Days on which they were enrolled, and at what places.

XIII. And be it further enacted, That if any servant whatever, hired by the year or otherwise, shall be inrolled, and any dispute shall arise between his master or mistress, employer or employers, and such servant, touching any sum or sums of money due to such servant for or on account of his service, performed before the time of such enrolment, or to such time as shall be obliged to quit the service of his said master, mistress, employer or employers, it shall and may be lawful, on complaint made thereof to any justice of the peace for the county, town, or place, where such master, mistress, employer or employers shall inhabit, for such justice to hear and determine every such complaint, and to examine upon oath every such servant,

Justices may
determine
disputes be-
tween masters
and servants
inrolled
touching
wages, and
may levy the
money by
distress.

servant, or any other witness or witnesses touching the same, and to make such order for the payment of so much wages to such servant in proportion to the service he has performed, as to such justice shall seem just and reasonable; and in case of refusal or nonpayment of any sums so ordered; by the space of seven days next after such determination, such justice shall and may issue forth his warrant to levy the same by distress and sale of the goods and chattels of such master or mistress, employer or employers, rendering the overplus (if any) to the owner or owners after payment of the charges of such distress and sale.

Provisions of
this and re-
cited act to
apply to
either.

Act may be
altered or re-
pealed this
session.

XIV. And be it further enacted, That all and every the provisions of this act, shall, in the execution of the said first recited act passed in this present session of parliament, be used and applied, and construed in like manner, as if the same provisions were specially enacted in the said act; and all and every the provisions of the said act, (except in so far as hereby altered), shall, in the execution of this act, be used, applied, extended, and construed in like manner as if the same provisions were specially enacted in this act.

XV. Provided always; and be it further enacted, That the act may be altered, varied, or repealed, by any act or acts to be made in this present session of parliament.

C A P. XL.

An act to allow the banks, and certain banking companies, in the part of Great Britain called Scotland, to issue notes for sums under a certain amount, for a limited time; and for indemnifying all persons who have issued notes for small sums of money in the part of the united kingdom. — [March 27, 1797.]

Preamble.
5 Geo. 3. c.
49, recited.

WHEREAS by an act, passed in the fifth year of his present Majesty's reign, intituled, An act to prevent the inconveniences arising from the present method of issuing notes and bills by the banks, banking companies, and bankers, in that part of Great Britain called Scotland, it was enacted, That from and after the first day of June one thousand seven hundred and sixty-four, no note, accepted bill, post bill, ticket, token, or other writing, circulated or which might be circulated as specie, in the manner of a bank or bank note, should be issued, re-issued, or given out as specie, by any person or persons, bodies politic or corporate, their servants or agents, in that part of the united kingdom called Scotland, for any sum or sums of money less than twenty shillings lawful money of Great Britain, any law, usage, or custom, to the contrary notwithstanding; and that the person or persons, bodies politic or corporate, their servants or agents, who should, after the said first day of June, issue, re-issue, or give out any note, accepted bill, post bill, ticket, token, or other writing aforesaid, for any sum less than twenty shillings, should, for every such offence, forfeit and pay the sum of five hundred pounds sterling, with full costs of suit, to the person or persons who shall inform or prosecute for the same, to be sued for and recovered in manner

manner thereby directed: and whereas it is expedient at the present time to allow the banks and banking companies herein-after described, to issue notes for a less sum than twenty shillings, for a limited time, notwithstanding the said recited clause in the said act: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons; in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, The bank of it shall and may be lawful to and for the Bank of Scotland, the Royal Scotland, &c. Bank of Scotland, the British Linen Company, and all other banks may issue or banking companies in Scotland, who, on or before the first day of January one thousand seven hundred and ninety-seven, on demand, have exercised the business of banking, or keeping any bank for under 20s. receipt of money, and have issued notes under the firm of such bank, in the nature of bank notes, (but to and for no other person or persons; company or companies, whatsoever), to issue notes, bills, or tickets, in the nature of bank notes, payable to the bearer on demand, for any sum whatever under the sum of twenty shillings Sterling, in the same way that the said banks and banking companies have heretofore been used to issue notes for twenty shillings and upwards, since the said first day of June one thousand seven hundred and sixty-five; any thing in the said recited act, passed in the fifth year of his Majesty's reign, to the contrary notwithstanding.

II. And whereas, from the present difficulty of procuring specie, several persons, bodies politick or corporate, their servants or agents, in that part of Great Britain called Scotland, have issued, and may continue to issue, bills, notes, or other obligations, for small sums under twenty shillings Sterling, and doubts may arise whether such persons have not been guilty of the offence prohibited by the said recited act; be it therefore enacted, That such person or persons, bodies politic or corporate, and their servants or agents, shall, and have issued they hereby are indemnified, freed, and discharged, from and against all penalties or forfeitures incurred, or that may be incurred, for or by reason of their having issued the bills, notes, or act, indemnified, obligations aforesaid, or by reason of such as may be issued on or before the passing of this act: provided always, That nothing herein contained shall extend, or be construed to extend, to prevent the holders of such bills, notes, or obligations, at any time from demanding and receiving payment thereof from the person or persons, bodies politick or corporate, who have issued, or may, until the passing of this act, issue the same.

III. And be it further enacted, That this act shall continue in force until the fifteenth day of May one thousand seven hundred and ninety-seven, and no longer; and shall be deemed and taken to be a publick act.

IV. Provided always, and be it further enacted, That this act may be altered, varied, or repealed, by any act or acts to be made in this present session of parliament.

altered or repealed this session.

C A P. XLI.

An act for increasing the rates of subsistence to be paid to innkeepers and others on quartering soldiers.—[April 24, 1797.]

Preamble.

Mutiny act
recited.

WHEREAS by an act passed in the present session of parliament, for punishing mutiny and desertion, and for the better payment of the army and their quarters, certain rates are established in that part of Great Britain called England, the dominion of Wales, and the town of Berwick upon Tweed, for the payment of innholders and others on whom non-commissioned officers and private soldiers are quartered and billeted, who shall be furnished with diet and small beer at their quarters; and an option is given to such innholders and others, to furnish certain articles gratis, in lieu of diet and small beer, at the rates prescribed: and whereas the occasion of marching and quartering of troops has increased, and may continue, and the rules prescribed for furnishing soldiers with necessaries are, in many instances, become, from the high price of provisions, inadequate, and are productive of distress to such innholders and others: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That every non-commissioned officer and private soldier who shall be furnished with diet and small beer within the aforesaid part of Great Britain, by the innholders or other persons on whom such non-commissioned officers or private soldiers shall be quartered and billeted by virtue of the said act, shall pay and allow for the same ten-pence per diem; and that the accounts of the same shall be rendered, and payment thereof made, in like manner as is directed in the said act now in force touching the former rates of sixpence per diem for the cavalry, and four-pence per diem for the infantry.

Non-commis-
ioned officers
and soldiers to
allow 10d. per
diem for diet
and small beer
in quarters in
England;

and for arti-
cles which
have been fur-
nished gratis
in lieuthereof,
ad. per diem
to be allowed.

II. And be it further enacted, That in case any innholders or other persons on whom any non-commissioned officers or private men shall be quartered, shall, by virtue of the said option in the said act, furnish such non-commissioned officers or soldiers with the articles therein mentioned, in lieu of furnishing diet and small beer, at the rates prescribed by this act, such innholders or other persons on whom such non-commissioned officers or soldiers are quartered, and by whom the said articles shall have been so supplied, shall receive, in consideration thereof, two-pence per diem for each non-commissioned officer and soldier, instead of furnishing the same gratis, as required by the said act; which sum of two-pence per diem shall be accounted for and paid in like manner as is directed touching the rates aforesaid.

For horses
quartered,
10d. 2q. per
diem to be
paid for hay
and straw.

III. And be it further enacted, That the sum to be paid to the innholder or other person, on whom any of the horses belonging to his said Majesty's forces shall be quartered by virtue of the said act, for hay and straw, shall be ten-pence halfpenny per diem for each horse, instead of sixpence per diem as directed in the said act.

IV. And

IV. And whereas the provisions contained in the said recited act, with respect to the manner of dieting non-commissioned officers and soldiers on a march, or employed in recruiting, and likewise the recruits by them raised, have been productive of much inconvenience, as well to the troops as the innholders; be it further enacted, That so much of the said recited act as relates to the manner of furnishing non-commissioned officers and soldiers on a march, or employed in recruiting, and likewise the recruits by them raised, with diet or other provision, be, and the same is hereby repealed.

V. And be it further enacted, That all non-commissioned officers and soldiers shall be entitled to receive their diet and small beer from the innholders or other persons on whom they may be billeted, at the rates herein-before prescribed, while on the march, as also on and for the day of their arrival at the place of their final destination, and on the two subsequent days, unless either of the two subsequent days shall be a market day in and for the town or place where such officers or soldiers shall be billeted, or within the distance of two miles thereof, in which case it shall and may be lawful for the innholder, or other person as aforesaid, to discontinue on and from such market day the supply of diet and small beer, and to furnish in lieu thereof the articles in the said recited act specified, and at the rate herein-before prescribed.

VI. Provided always, That if any regiment, troop, company, or detachment, when on the march, shall be halted, either for a limited or indefinite time, at any intermediate place, the non-commissioned officers and soldiers belonging thereto shall be entitled to receive their diet and small beer from the persons on whom they shall be billeted at such intermediate place, for such time only for which they would be entitled to receive the same after arriving at the place of their final destination, according to their destination:

VII. Provided nevertheless, That whenever it shall happen that any regiment, troop, company, or detachment, when on their march, shall be halted, and it shall appear by the marching orders that it is not intended that such regiment, troop, company, or detachment, shall halt for any longer time than one entire day after the day of their arrival at the place of halting, and the day after such arrival shall be such market day, as aforesaid, it shall not be lawful for the innholders or other persons on whom the non-commissioned officers and soldiers shall be billeted, to discontinue, on such market day, the supply of diet and small beer to any such officers or soldiers; but that all such officers and soldiers shall be entitled to receive their diet and small beer from such innholders and other persons aforesaid, upon such market day as aforesaid, at the rates herein-before prescribed, in like manner as they would have been entitled thereto if such day had not been a market day; any thing herein-before contained to the contrary hereof notwithstanding.

VIII. And be it further enacted, That all non-commissioned officers respecting recruiting

parties and
recruits on
their march.

officers and private men employed in recruiting, and the recruits by them raised, shall, while on the march, and for two days after the day of their arrival at any recruiting station, be entitled to the same benefits as are herein-before provided in regard to troops upon the march; but no recruit enlisted after the two days subsequent to the arrival of the party at their recruiting station, shall be entitled to be supplied with diet and small beer at the rate herein-before prescribed, except at the option of the person on whom he shall be quartered: provided also nevertheless, That in case any such recruiting party, with the recruits by them raised, shall remove from their station, and after a time shall return to the same place, they, and the recruits by them raised, so returning, shall not be again entitled to the supply of diet and small beer for such two days as aforesaid, unless the period between the time of their removal from such place, and their return thereto, shall have exceeded twenty-eight days.

Continuance
of act.

IX. And be it further enacted, That this act shall have continuance from the twenty-fourth day of *March* one thousand seven hundred and ninety-seven, until the twenty-fifth day of *March* one thousand seven hundred and ninety-eight.

C A P. XLII.

An act for altering and amending an act, passed in the eighteenth year of the reign of his present Majesty, intituled, *An act for paving, cleansing, lighting and watching, the town of Northampton, and for removing and preventing encroachments, obstructions, and annoyances therein; and for continuing the term of certain tolls by the said act granted.*—[April 24, 1797.]

C A P. XLIII.

An act for building a new chapel at Plymouth dock, in the parish of Stoke Damerel, in the county of Devon. —[April 24, 1797.]

C A P. XLIV.

An act for amending and rendering more effectual an act passed in the thirty-third year of the reign of his present Majesty, for paving, lighting, cleansing, and otherwise improving the town of Ipswich, in the county of Suffolk, and for removing and preventing encroachments, obstructions, and annoyances therein. —[April 24, 1797.]

C A P. XLV.

An act for confirming and continuing for a limited time, the restriction contained in the minute of council of the twenty-sixth of February one thousand seven hundred and ninety-seven, on payment of cash by the bank. —[May 3, 1797.]

Preamble.

Minute of pri-
vy council of
Feb. 26, 1797,
recited.

WHEREAS, by minute of his Majesty's privy council, made on the twenty-sixth day of February one thousand seven hundred and ninety-seven, upon the representation of the chancellor of the exchequer, stating, that from the result of the information which he had received, and of the enquiries which it had been his duty to make respecting the effect of the unusual demands for specie that have been made upon the metropolis, in consequence of ill-founded or exaggerated alarms

alarms in different parts of the country, it appeared, that unless some measure was immediately taken, there might be reason to apprehend a want of a sufficient supply of cash to answer the exigencies of the publick service; it was declared to be the unanimous opinion of the bar, that it was indispensably necessary for the publick service, that the directors of the bank of England should forbear issuing any cash in payment until the sense of parliament could be taken on that subject, and the proper measures adopted thereupon for maintaining the means of circulation and supporting the publick and commercial credit of the kingdom at this importunate conjuncture; and it was ordered, that a copy of the said minute should be transmitted to the directors of the bank of England, and they were thereby required, on the grounds of the exigency of the case, to conform thereto until the sense of parliament could be taken as aforesaid: and whereas, in pursuance of the said minute, the said governor and company of the bank of England, have since the said twenty-sixth day of February one thousand seven hundred and ninety-seven, forborne to issue cash in payments, except for purposes for which the issue of cash was deemed unavoidable; and it is necessary that the restriction contained in the said minute, although not warranted by law, should be confirmed, and should be continued for a limited time by the authority of parliament: be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same,

That all acts done by the said governor and company of the bank of England, or by their order or direction, in pursuance of the said minute of council, shall be, and the same are hereby ratified and confirmed; and that all and every persons and person who have or hath been concerned in doing any such acts, or any matter or thing relating thereto, shall be, and are and is hereby saved harmless, indemnified, and discharged, in respect thereof, as well against the King's majesty, his heirs and successors, as against all and every other persons and person; and that all suits and proceedings whatsoever touching or concerning any matter discharged by this act, shall be, and the same are hereby made void and of no effect to all intents and purposes; any law, statute, or usage to the contrary notwithstanding.

II. And be it further enacted by the authority aforesaid, That, from and after the passing of this act, it shall not be lawful for the said governor and company to issue any cash in payment of any debt or demand whatsoever, except according to the provisions herein-after contained; and that during the continuance of the restriction hereby imposed on payments by the said governor and company in cash, no action or suit shall be prosecuted against the said governor and company to compel payment of any note of the said governor and company expressed to be payable on demand, or to compel payment of any note of the said governor and company made payable otherwise than on demand, which the said governor and company shall be willing to exchange for any note or notes of equal amount expressed to be payable on demand, or to

The bank indemnified for all acts done in pursuance of recited minute of council.

The bank not to issue cash but according to certain provisions.

During such restriction no suit to be prosecuted to compel payment of notes which the bank shall be willing to exchange for other notes.

compel payment of any sum of money whatsoever by the said governor and company, which the said governor and company shall be willing to pay in notes of the said governor and company expressed to be payable on demand; and it shall be lawful for the said governor and company during the continuance of the restriction aforesaid on payments in cash, to apply to the court wherein any action or suit shall be brought, or shall be depending, against the said governor and company, to stay proceedings therein, in a summary way; and in case such action or suit shall be brought to compel payment of any note or notes of the said governor and company made payable on demand, it shall be lawful for the said governor and company to apply to the said court to stay all proceedings in such action or suit until the expiration of the time herein-after limited for the continuance of such restriction as aforesaid, and such court shall stay all proceedings accordingly; and in like manner it shall be lawful for the said governor and company to apply to any court in which any action or suit shall be brought or depending for the purpose of compelling payment by the said governor and company of any note of the said governor and company payable otherwise than on demand, or of any other debt or demand whatsoever, to stay all proceedings against the said governor and company in such action or suit, on payment of such sum of money as shall appear to be justly due, or which might be recovered in such action or suit, by delivery of notes of the said governor and company for the amount thereof expressed to be payable on demand, if the party or parties to whom such money shall appear to be due shall be willing to accept payment thereof in such notes, and thereupon such court shall order all proceedings to be stayed accordingly; but if the party or parties entitled to any such money shall refuse to accept payment thereof by delivery of such notes of the said governor and company, expressed to be payable on demand as aforesaid, the said court shall order all proceedings against the said governor and company in such action or suit to be stayed until the expiration of the time herein-after limited for the continuance of such restriction on payments in cash as aforesaid: provided always, That if it shall appear to such court to be necessary for the purpose of ascertaining the amount of any demand on the said governor and company, or otherwise for the furtherance of justice, that any proceedings should be had for any such purpose, it shall be lawful for the said court to permit proceedings to be had in any such action or suit for such necessary purpose only, or to ascertain the amount of such demand, in a summary way, as the nature of the particular case may require, and as shall be consistent with the restriction on payments in cash hereby imposed: provided also, That no costs shall be recovered against the said governor and company, in any action or suit which, during the continuance of the restriction aforesaid, shall be brought or prosecuted for the purpose of compelling payment by the said governor and company of any debt or demand, unless the

The bank may apply to the court to stay proceedings in actions.

The court may permit proceedings to be had to ascertain the amount of any demand on the bank, or for the furtherance of justice.

No costs to be given unless the court think the action necessary, &c.

the court wherein the same shall be brought or prosecuted shall be of opinion that the same was necessary for the purpose of ascertaining the amount of such debt or demand, or the title thereto, and in such case such court may direct the payment of such costs by the said governor and company in their notes expressed to be payable on demand, if the party or parties entitled to such costs shall be willing to accept such notes; and if such party or parties shall refuse to accept such notes, then such court shall stay all proceedings to compel payment of such costs until after the expiration of the restriction on payments by the said governor and company in cash, herein contained.

III. Provided always, and it is hereby enacted by the authority aforesaid, That nothing in this act contained shall extend to restrain the said governor and company from issuing any sum of money less than twenty shillings in cash in payment of any debt or demand not amounting to twenty shillings, or in payment of so much of any larger debt or demand as shall be a fractional part of twenty shillings over and above the residue of such debt or demand; or from issuing any sum of money in cash for the services of the army, navy, or ordnance, in pursuance of an order of his Majesty's privy council, stating the special purpose for which such issue shall be required, and the necessity for the same; all which orders of council shall be laid before both houses of parliament within three days after the date of each of such order, if parliament shall be then sitting, and if not, then within three days after the sitting of parliament.

IV. Provided always, and be it enacted, That it shall not be lawful for the said governor and company, during the continuance of the restriction on payments of cash imposed by this act, to issue any sum of money in cash, or in notes of the said governor and company, by way of loan or advance, for or on account of the publick service, except to an amount not exceeding six hundred thousand pounds, on the credit of exchequer bills, to be issued by virtue of an act of the present session of parliament for raising the sum of eighteen millions by way of annuities; any law, usage, or statute, to the contrary notwithstanding.

V. Provided always, and be it further enacted by the authority aforesaid, That, from and after the seventh day of April one thousand seven hundred and ninety-seven, during the continuance of the restriction by this act imposed on payments by the said governor and company in cash, it shall nevertheless be lawful for the said governor and company to accept, from any person or persons whatsoever, any sum or sums of money, in cash, not being less than five hundred pounds, in exchange for notes of the said governor and company, of equal amount, upon an engagement from the said governor and company to pay to such person or persons, during the continuance of such restriction as aforesaid, cash in exchange for any note or notes of the said governor and company, payable on demand, to such

The bank
may issue cash
in certain
cases.

Orders in
council for
issuing cash to
be laid before
parliament.

Bank not to
advance more
than 600,000.
for the publick
service during
the restric-

The bank
may pay in
cash a pro-
portion of
sums not un-
changed for
notes since
April 7, 1797.

an amount, not exceeding in the whole three fourths of the sum of money which shall have been so paid by such person or persons to the said governor and company in cash, and in such proportions, and at such intervals, as shall be expressed in such engagement; and it shall be lawful for the said governor and company to pay in cash such sum and sums of money as shall be required to be so paid, according to the terms of such engagement, to the amount, in the proportions, at the times, and in the manner therein to be expressed; any thing in this act contained to the contrary notwithstanding.

The bank may advance to the bankers of London, Westminster, and Southwark, 100,000l. in cash.

VI. Provided always, and be it further enacted by the authority aforesaid, That it shall be lawful for the said governor and company, notwithstanding the restriction imposed by this act, to advance, for the accommodation of the persons dealing as bankers in *London, Westminster, and the borough of Southwark*, in cash, any sums of money, not exceeding one hundred thousand pounds in the whole, to be paid to such persons, at such times, in such proportions, and in such manner, as to the said governor and company shall seem expedient.

The bank may advance in cash to the bank of Scotland, and to the royal bank of Scotland, 25,000l. for each.

VII. Provided always, and be it further enacted, That it shall and may be lawful to and for the said governor and company of the bank of *England*, upon application being made to them, by or on the behalf of the treasurer of the bank called *The Bank of Scotland*, established by an act of the parliament of *Scotland*, in one thousand six hundred and ninety-five, or by or on the behalf of the cashier of the bank called *The Royal Bank of Scotland*, incorporated by royal charter, dated the thirty-first day of *May* one thousand seven hundred and twenty-seven, to issue and pay to such treasurer or cashier respectively, or to such person or persons as they shall respectively appoint to receive the same, for the sole use of the said banks, such sum or sums of money, in gold or silver, as may be required, not exceeding the sum of twenty-five thousand pounds for each of the said banks; any thing herein contained to the contrary thereof in anywise notwithstanding.

Payments in notes to be deemed payments in cash if accepted as such.

VIII. And be it further enacted by the authority aforesaid, That all payments in notes of the said governor and company expressed to be payable on demand, which have been made since the said twenty-sixth day of *February* one thousand seven hundred and ninety-seven, or which shall be made during the restriction on payments by the said governor and company in cash, herein contained, shall be deemed payments in cash if made and accepted as such; any law, statute, or usage, to the contrary thereof notwithstanding.

No person to be held to special bail unless affidavit be made that there has been no offer to pay in bank notes.

IX. And be it further enacted by the authority aforesaid, That during the continuance of the restriction on payments by the said governor and company in cash, imposed by this act, no person shall be held to special bail upon any process issuing out of any court, unless the affidavit which shall be made for that purpose according to the provisions in the act of the twelfth year of the reign

reign of his late majesty King George the First, for preventing frivolous and vexatious arrests, shall not only contain the several matters required by the said act, but also that no offer has been made to pay the sum of money in such affidavit mentioned, and therein sworn to, for the purpose of holding any person to special bail, in notes of the said governor and company, expressed to be payable on demand, (fractional parts of the sum of twenty shillings only excepted); and if any process shall be issued against any person upon which such person might have been held to special bail before the passing of this act, and no affidavit shall be made as aforesaid, that no such offer of payment in notes of the governor and company had been made as aforesaid, such person shall not be arrested on such process, but proceedings shall be had against such person in the same manner as if no affidavit had been made for the purpose of holding such person to special bail under the provisions of the said act of his said late majesty King George the First; and all provisions in such act, or in any other act of parliament, for preventing frivolous and vexatious arrests, shall be applied to the provisions in this act contained, so far as the same are capable of being so applied: provided always, That if affidavit shall be made upon which any person or persons might have been held to special bail upon any such process as aforesaid, before the passing of this act, and it shall be likewise sworn in such affidavit that such offer of payment has been made as aforesaid, so that the person or persons who might have been arrested and held to special bail upon such process, if this act had not been made, cannot, by reason of such offer and of the provisions in this act contained, be so arrested and held to special bail, it shall be lawful for the court out of which such process shall issue, or for any judge of such court, in a summary way, to order the defendant or defendants in the action in which such process shall issue, and who might have been so held to special bail as aforesaid if this act had not been made, to cause notes of the said governor and company, expressed to be payable on demand, to the amount of the sum of money for which such person or persons might have been so held to special bail if this act had not been made, to be deposited in such manner as such court or such judge shall direct, to answer the demands of the plaintiff or plaintiffs in such action; and if such deposit shall not be made within the time limited by such order after such notice thereof as shall thereby be directed to be given, it shall be lawful, upon affidavit duly made and filed that such deposit has not been made according to such order, to arrest such defendant or defendants, and hold him, her, or them to special bail, in such and the same manner as if this act had not been made.

X. And be it further enacted by the authority aforesaid, That, during the continuance of the restriction on payments by the said governor and company in cash, by this act imposed, all sums of money which now are or shall become payable for any part of the publick revenue, shall be accepted by the collectors, receivers,

if no such affidavit be made the same proceedings to be had as if no affidavit had been made to hold to special bail.

If any person cannot by reason of this act be held to special bail, the court may order him to deposit bank notes to answer the demand, and if not done, he may be arrested.

Collectors of the publick revenue to accept it in bank notes.

and other officers of the revenue, authorised to receive the same, in notes of the laid governor and company, expressed to be payable on demand, if offered to be so paid (fractional parts of the sum of twenty shillings only excepted).

The bank may issue cash out of any sum come into their hands since Feb. 26, 1797, on previous notice to the speaker of the house of commons.

XI. Provided always, and be it enacted, That it shall and may be lawful for the governor and company of the bank of England, during the continuance of this act, to issue cash, out of any cash which shall have come into the hands of the said governor and company subsequent to the twenty-sixth day of February last, and which shall be at their disposal, in payment of any debt or demand whatsoever, or of any part or proportion of any debt or demand whatsoever, upon their giving five days notice in writing to the speaker of the house of commons of their intention so to do, any thing in this act to the contrary thereof in anywise notwithstanding; which notice the speaker of the house of commons is hereby required to cause forthwith to be inserted in the *London Gazette*, and a copy thereof to be affixed on the *Royal Exchange* in London.

Continuance of act.

XII. And be it further enacted by the authority aforesaid, That this act shall be in force and have continuance, so far as the same restrains the said governor and company from issuing cash in payments, until the twenty-fourth day of June one thousand seven hundred and ninety-seven.

Act may be repealed or altered this session.

XIII. And be it further enacted by the authority aforesaid, That this act, or any clause, matter, or thing herein contained, may be repealed, altered, or varied, in any manner whatsoever, during the present session of parliament.

C A P. XLVI.

An act for making certain annuities, created by the parliament of the kingdom of Ireland, transferrable, and the dividends thereon payable, at the bank of England; and for the better security of the proprietors of such annuities, and of the governor and company of the bank of England.—[May 3, 1797.]

Preamble.

Act of the parliament of Ireland, 37 Geo. 3, recited.

WHEREAS by an act of parliament of the kingdom of Ireland, made and passed in the thirty-seventh year of his present Majesty's reign, intituled, An act for securing the payment of the annuities, and of the interest upon the principal sums therein provided, for and towards the discharge of such principal sums in such manner as therein is directed; and for enabling the officers of his Majesty's treasury to receive certain sums for a limited time in manner therein mentioned; and for granting to his Majesty a certain sum of money out of the consolidated fund; and for applying a certain sum of money therein mentioned, for the service of the year one thousand seven hundred and ninety-seven, and for other purposes, reciting (among other things) that by a resolution of the house of commons of Ireland, of the eighteenth day of October one thousand seven hundred and ninety-six, it was resolved, that whatever sum or sums of money should be advanced or paid into his Majesty's treasury in the kingdom of Ireland, not exceeding in the whole

whole the sum of five hundred thousand pounds, to be applied by his excellency the lord lieutenant, to defray such extraordinary expences as the then present circumstances rendered necessary, and which had not been provided for by parliament for the service of the then current year, should be made good, such sum to be raised by issuing debentures or stock of one hundred pounds, bearing an interest not exceeding five pounds per centum per annum, and not redeemable for fifteen years, is the amount of five hundred thousand pounds, together with such annuities for each one hundred pounds as should be agreed on by his excellency the lord lieutenant, not exceeding the lowest rate which should be offered by any person or persons proposing to pay and advance such sums, such annuity to continue for fifteen years, or by sale of annuities of one hundred pounds each, not exceeding in the whole the sum of sixty thousand pounds per annum, for fifteen years or for one life, to the person or persons offering the greatest number of years purchase for such annuity, or partly by issuing such stock or debentures, and partly by sale of said annuities, in such manner as should be directed by his excellency the lord lieutenant, or other chief governor or governors of the said kingdom of Ireland; and also reciting that, in pursuance of the said resolution, the sum of three hundred and twenty-five thousand pounds, being three hundred thousand pounds British currency, part of the said sum of five hundred thousand pounds, had been subscribed for in England, to be paid into his Majesty's treasury in the kingdom of Ireland, and had been made stock, transferrable in transfer books, agreed to be kept by the governor and company of the bank of England, for which sum an interest of five pounds per centum per annum, from the twenty-fifth day of September one thousand seven hundred and ninety-six, was payable in the city of London; and that the said sum was due and unpaid; and for effectuating the raising of the said sum of three hundred and twenty-five thousand pounds, annuities of four pounds and fifteen shillings, by the year, for each sum of one hundred pounds, for thirteen years and a half, from the said twenty-fifth day of September one thousand seven hundred and ninety-six, amounting to fifteen thousand four hundred and thirty-seven pounds ten shillings Irish currency, transferrable at the bank of England, had been appointed to be paid in London to the person or persons who advanced and paid the said sum; it was enacted, (amongst other things), That for the said sum of three hundred and twenty-five thousand pounds made stock, transferrable at the bank of England, there should be paid in the city of London, at the end of every six calendar months, to the person or persons who paid or lent or should have become entitled to the same respectively, his, her, or their executors, administrators, or assigns, an interest at the rate of five pounds per centum per annum Irish currency, such interest to be paid without any fee or charge, and free from all deductions whatsoever, until such time as they should be respectively paid their principal money at one entire payment: and it was further enacted, That the several annuities granted in pursuance of the said resolution of the eighteenth day of October one thousand seven hundred and ninety-six, should be regularly paid at the city of London, to the persons thereunto respectively entitled, as the same should become due, according to the true intent and meaning of the said

act: and whereas the governor and company of the bank of England have consented and agreed that the annuities and interest upon the said principal sum of three hundred thousand pounds sterling, herein-before stated to have been subscribed for in England, and by the said act of parliament of Ireland made payable in England, shall be payable at the bank of England, and the said governor and company have also consented and agreed to keep such transfer books thereof as are mentioned in the said act of parliament of Ireland; but such agreement cannot be effectually carried into execution without the aid of parliament: may it therefore please your Majesty that it may be enacted; and be it enacted and declared by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful for the governor and company of the bank of England to pay the interest and annuities already due and payable, and hereafter to become due and payable, upon the said principal sum of three hundred thousand pounds sterling; and the said annuities, and also the said principal sum or stock, and any part or parcel thereof, shall and may be transferrable at the bank of England, in the manner herein-after described; and the said annuities, principal sum, or stock, and the interest payable thereon, shall not be liable to any foreign attachment by the custom of London, or otherwise; any law, statute, or custom, to the contrary notwithstanding.

The bank of England may pay the interest of 300,000. subscribed in England, which may be transferred at the bank.

Books to be kept for entering transfers.

No stamp duties to be charged on transfers or receipt of annuities.

II. And be it further enacted by the authority aforesaid, That it shall be lawful for the governor and company of the bank of England to authorise and direct their accountant general for the time being to keep books, wherein all assignments or transfers of the said annuities and principal sums or stock shall be entered and registered, in such manner as the said governor and company shall direct; which entry shall be signed by the parties making such assignments or transfers, or if such parties be absent, by their respective attorney or attorneys thereunto lawfully authorised, in writing, under his, her, or their hand and seal, or hands and seals, to be attested by two or more credible witnesses; and that the several persons to whom such transfers shall be made, shall respectively underwrite their acceptance thereof by themselves, or by their respective attorney or attorneys thereunto lawfully authorised in manner aforesaid; and that no other method of assigning and transferring the said annuities and principal sum or stock, or any part thereof, or any interest therein, shall be good or available in law: provided always, That no stamp duties whatsoever shall be charged on any of the said transfers, nor on any receipt for any payment in respect of the said annuities or the said principal sums or stock, or the interest thereof; any law or statute to the contrary notwithstanding.

III. And whereas for the prevention of forgeries and frauds in respect of the receipts, payments, and transfers made or given in pursuance of this act, it is necessary that the like provisions should be enacted as by the laws now in being are already in force, respecting stocks, annuities,

annuities, and other publick funds transferrable at the bank of England: be it therefore further enacted by the authority aforesaid,

That, from and after the passing of this act, if any person or persons shall forge or counterfeit, or cause or procure to be forged or counterfeited, or wilfully act or assist in the forging or counterfeiting, any receipt or receipts for the whole or any part to suffer or parts of the said subscriptions or contributions towards the said death.

Persons for-
ing, altering,
&c. receipts
or debentures,

principal sum of three hundred thousand pounds sterling, or any debenture or debentures, purporting to entitle any person or persons, or body politick or corporate whatsoever, to any principal sum, or the interest thereon, or any annuity or part of any principal sum, interest, or annuity, payable under the said act of parliament of Ireland, either with or without the name or names of any person or persons, or body politick or corporate being inserted therein, as the subscriber or subscribers, or contributor or contributors, or payer or payers towards the said principal sum of three hundred thousand pounds sterling, or any part or parts thereof, or shall alter any number, figure, or word therein, or utter or publish as true, any such false, forged, counterfeited, or altered receipt or receipts, debenture or debentures, with intention to defraud the governor and company of the bank of England, or any body politick or corporate, or any person or persons whatsoever, such receipt or receipts, debenture or debentures, concerning some part or share of or in the principal sums or stock, or the annuities, by this act made or declared transferable at the bank of England, every such person or persons so forging or counterfeiting, or causing or procuring to be forged or counterfeited, or wilfully acting or assisting in the forging or counterfeiting, or altering, uttering, or publishing as aforesaid, shall be deemed guilty of felony; and shall suffer death as a felon or felons without benefit of clergy.

IV. And be it further enacted by the authority aforesaid, That, Persons forg-
from and after the passing of this act, if any person or persons ing letters of
shall forge or counterfeit, or procure to be forged or counterfeited, or knowingly and wilfully act or assist in the forging or attorney, &c.
counterfeiting, any letter of attorney, or other authority or instrument, to suffer
to transfer, assign, sell, or convey, any part or share death.
of or in the principal sums or stock, or the annuities, by this act
made or declared transferable at the bank of England, or to re-
ceive any annuity or annuities, or interest, or dividend or divi-
dends, in pursuance of this act, payable at the bank of England,
or any part thereof, or shall forge or counterfeit, or procure to
be forged or counterfeited, or knowingly and wilfully act or assist
in the forging or counterfeiting, any the name or names of any
the proprietor or proprietors of any such part or share of or in
such principal sum or stock, or annuities, interest, dividend or
dividends, as aforesaid, in or to any such pretended letter of
attorney, instrument, or authority, or shall knowingly and
fraudulently demand or endeavour to have any such part or share
of or in such principal sum or stock, or annuities, interest, divi-
dead or dividends, or any part thereof, transferred, assigned, sold,
or

or conveyed, or such annuity or annuities, interest, dividend or dividends, or any part thereof, to be received by virtue of any such counterfeit or forged letter of attorney, authority, or instrument, or shall falsely and deceitfully personate any true and real proprietor or proprietors of the said shares of or in the said principal sum or stock, annuities, interest, dividend or dividends, or any of them, or any part thereof, and thereby transferring or endeavouring to transfer any part or share of or in the said principal sum or stock, or annuities, or receiving or endeavouring to receive the money of such true and lawful proprietor or proprietors, as if such offender or offenders were the true and lawful owner or owners thereof, then and in every or any such case, such offender or offenders shall be deemed guilty of felony, and shall suffer death as a felon or felons without benefit of clergy.

Persons forging dividend warrants, &c. to suffer death.

V. And be it further enacted by the authority aforesaid, That, from and after the passing of this act, if any person or persons shall forge, counterfeit, or alter any dividend warrant, or warrant for payment of any annuity, interest, or money, payable in pursuance of this act at the bank of *England*, or any indorsement thereon, or shall offer or dispose of or put away any such forged, counterfeited, or altered dividend warrant, or warrant for payment of any annuity, interest, or money, payable as aforesaid, or the indorsement thereon, or demand the money therein contained, or pretended to be due thereon, or any part thereof, of the said governor and company of the bank of *England*, or any their officers or servants, knowing such dividend warrant, or warrant for payment of any annuity, interest, or money, payable as aforesaid, or the indorsement thereon, to be forged, counterfeited, or altered, with intent to defraud the said governor and company of the bank of *England*, or their successors, or any other body politic or corporate, or any person or persons whatsoever, every person or persons so offending, shall be deemed guilty of felony, and shall suffer death as a felon or felons without benefit of clergy.

Officers of the bank embezzling notes, &c. to suffer death.

VI. And be it further enacted by the authority aforesaid, That, from and after the passing of this act, if any officer or servant of the said governor and company of the bank of *England*, being intrusted with any note, bill, dividend warrant, or warrant for payment of any annuity or interest, or money, or any security money, or other effects of or belonging to the said governor and company, or having any note, bill, dividend warrant, or warrant for payment of any annuity or interest, or money, or any security money, or other effects of any other person or persons, body politic or corporate, lodged or deposited with the said governor and company, or with him as an officer or servant of the said governor and company in pursuance of this act or of the due execution thereof, shall secrete, embezzle, or run away with any such note, bill, dividend or other warrant, security money, or other effects as aforesaid, or any part thereof, every such officer or servant so offending, shall be deemed guilty of felony, and shall suffer death as a felon without benefit of clergy.

VII. And

VII. And be it further enacted by the authority aforesaid, That, from and after the passing of this act, if any person or Persons making transfers shall wilfully make or assist in making any transfer of any interest, part, or share of or in any principal sum or stock, in other than annuity or annuities, by this act made or declared transferrable at the bank of *England*, proprietors names, to at the bank of *England*, in any of the books of the said governor and company of the bank of *England* in which transfers of principal sums, stock, or annuities, as aforesaid, are, or in pursuance of this act shall be made, in the name or names of any person or persons not being the owner or owners, or proprietor or proprietors of such principal sum or stock, or annuity or annuities transferrable as aforesaid, with intent to defraud the said governor and company of the bank of *England*, or any other body politic or corporate, or any person or persons whatsoever, such person or persons so making or assisting in making such transfer as aforesaid, shall be deemed guilty of felony, and shall suffer death as a felon or felons without benefit of clergy.

VIII. And be it further enacted by the authority aforesaid, That, from and after the passing of this act, if any person or Persons forging transfers shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or to suffer death. shall wilfully act or assist in the falsely making, forging, or counterfeiting of any transfer of any interest, part, or share of or in any principal sum or stock, or annuity or annuities, by this act made or declared transferrable at the bank of *England*, or shall utter or publish as true any such false, forged, or counterfeited transfer as aforesaid, knowing the same to be false, forged, or counterfeited, with intent to defraud the said governor and company of the bank of *England*, or any other body politic or corporate, or any person or persons whatsoever, all and every person or persons whatsoever so offending, shall be deemed guilty of felony, and shall suffer death as a felon or felons without benefit of clergy.

IX. And be it further enacted by the authority aforesaid, That, Persons making false entries in the books of the bank, to suffer death. from and after the passing of this act, if any person or persons whatsoever shall wilfully make or assist in making, any false entry, or shall wilfully alter, or assist in altering, any word or figure in any entry in the books of account kept, or in pursuance of this act to be kept by the said governor and company of the bank of *England*, wherein the several accounts of the owners or proprietors of principal sums or stock or annuities by this act made or declared transferrable at the bank of *England* are, or in pursuance of this act shall be, entered and kept, or shall in any manner wilfully falsify the account or accounts of any such owner or proprietor in the books of the said governor and company, wherein such accounts are, or in pursuance of this act shall be, entered and kept, with intent to defraud the said governor and company of the bank of *England*, or any other body politic or corporate, or any person or persons whatsoever, every such person or persons so offending shall be deemed guilty of felony, and shall suffer death as a felon or felons without benefit of clergy.

Officers of the bank making out false dividend warrants to be transported.

X. And whereas, in order to cover and conceal forgeries and frauds in transfers, dividend warrants have been sometimes made out for different sums than the sums really due; be it therefore enacted by the authority aforesaid, That if any clerk, officer, or servant of, or other person or persons employed or entrusted by, the said governor and company, shall, from and after the passing of this act, knowingly or wilfully make out or deliver, or cause or procure to be made out or delivered, or wilfully act or assist in the making out or delivering of any dividend warrant, or warrant for payment of any annuity, or interest, or money payable in pursuance of this act at the bank of *England*, for a greater or less amount than the person or persons on whose behalf, or pretended behalf, such dividend warrant, or warrant for payment of any annuity, or interest, or money payable as aforesaid, shall be made out, is or are entitled to, with intent to defraud the said governor and company of the bank of *England*, or any other body politick or corporate, or any person or persons whatsoever, all and every such person or persons so offending, being in due form of law convicted of any such offence or offences as aforesaid, shall be transported for seven years.

C A P. XLVII.

An act for discharging the estates of John Yeldham, esquire, from certain demands of the crown, upon the conditions therein mentioned.—[May 3, 1797.]

C A P. XLVIII.

An act for altering, amending, and rendering more effectual two acts, made in the eleventh and fifteenth years of the reign of his present Majesty, for the regulation and improvement of the fisheries in the river Tweed, and the rivers and streams running into the same, and also within the mouth or entrance of the said river.—[May 3, 1797.]

C A P. XLIX.

An act for repairing, improving, and maintaining the harbour of Eyemouth in the county of Berwick.—[May 3, 1797.]

C A P. L.

An act for repairing, deepening, enlarging, and preserving, the harbour of Barmouth, in the county of Merioneth.—[May 3, 1797.]

C A P. LI.

An act for enabling the company of proprietors of the Leicester navigation to finish and complete their several works, and to discharge the debts contracted in the making thereof; and for amending an act passed in the thirty-first year of the reign of his present Majesty, for making the said navigation, and several other works in such act mentioned.—[May 3, 1797.]

C A P. LII.

An act for regulating and converting the statute labour in the county of Fife; and for more effectually making and repairing the highways within the said county.—[May 3, 1797.]

C A P.

C A P. LIII.

An act for carrying into execution his Majesty's order in council of the third day of May one thousand seven hundred and ninety-seven, for an increase of pay and provisions to the seamen and marines serving in his Majesty's navy; and to amend so much of an act, made in the thirty-fifth year of the reign of his present Majesty, as enables petty officers and seamen, non-commissioned officers of marines, and marines, to allot part of their pay for the maintenance of their wives, children, or mothers.—[May 9, 1797.]

Most gracious Sovereign,

WHEREAS an order was made by your Majesty in council, Preamble. *On the third day of May one thousand seven hundred and ninety-seven, for an increase to the present allowance of wages and provisions for the petty officers, seamen, landmen, and marines, serving in your Majesty's fleet; and for a continuation of the pay of all petty officers, seamen, landmen, and marines, who may hereafter be wounded in action with the enemy, until their wounds shall be healed, or some other provision shall be made for them: We, your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, being desirous of enabling your Majesty to carry the same into full and immediate execution, do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That a sum not exceeding three hundred and seventy-two thousand pounds, be granted to his Majesty on account, towards granting to his Majesty, for enabling his Majesty to make an addition of five shillings and sixpence per month to the present wages of the petty officers and able seamen belonging to his Majesty's fleet; an addition of four shillings and sixpence per month to the wages of ordinary seamen; an addition of three shillings and sixpence per month to the wages of landmen; and for continuing to the marines, when embarked and serving on board his Majesty's ships, the allowances usually called Consolidated Allowances made to Marines when serving on shore, videlicet, to serjeants, corporals, and drummers, at the rate of two-pence, and to privates, at the rate of two-pence farthing, per diem; and also to enable his Majesty to defray the expence of providing for the full allowance of provisions being issued to the crews of his Majesty's ships, without any deduction whatsoever on account of leakage or waste, and for paying short allowance money to the crews of any of the said ships, in lieu thereof, until the same can be carried into full effect.*

II. And be it further enacted, That all petty officers, able Petty officers seamen, and marines, ordinary seamen, landmen, and marines, who may hereafter be wounded in action with the enemy, shall receive the marines, &c. wounded, to full receive their

wages and allowances till their wounds are healed, or are otherwise provided for.

full amount of their wages and allowances until their wounds shall be healed, or until being declared incurable they shall receive a pension from the chest at Chatham, or be admitted into the royal hospital at Greenwich.

Pay hereby given may be allotted for the maintenance of families, as by 35 Geo. 3. c. 28.

Allotments of pay to be calculated according to the annexed sche. dule.

III. And whereas, by an act passed in the thirty-fifth year of his Majesty's reign, intituled, An act to enable petty officers in the navy, and seamen, non-commissioned officers of marines, and matines, serving in his Majesty's navy, to allot part of their pay for the maintenance of their wives and families; it is enacted, That it shall be lawful for petty officers and non-commissioned officers of marines, to allot half their pay, able-bodied seamen five-pence per day, ordinary seamen, and landsmen four-pence per day, and marines three-pence per day, for the maintenance of their wives and children or mothers: be it further enacted, That, from and after the passing of this act, it shall and may be lawful for the commissioners of his Majesty's navy, or any three of them, to direct the treasurer of the navy, or any receiver general of land tax, collector of customs, or collector of excise, or clerks of the checque, to whom an allotment made conformable to the said act shall have been addressed, to increase, from the twenty-fourth day of April one thousand seven hundred and ninety-seven, the allowance in the payments he or they or any of them may thereafter make to the wife or mother of any petty officer or seaman, non-commissioned officer of marines, or marine, to a proportion equal to half the increased pay of such petty officer or seaman, non-commissioned officer of marines, or marine, provided for by this act; and which shall thereupon be paid in the same manner as if such declaration and order of allotment had been originally made according to the rate of half the pay of petty officers, seamen, and marines, as by this act is provided.

IV. And be it further enacted, That when any petty officer or seaman, non-commissioned officer of marines, or marine, shall hereafter allot any pay for the maintenance of his wife and children or mother, the same shall be at a rate calculated as nearly equal as may be to half his pay, and according to the table in the schedule hereunto annexed.

The SCHEDULE to which this act refers.

A TABLE,

Shewing the allowance to be granted by allotment, calculated according to the rates of pay per month.

P A Y,			A L L O W A N C E,					
Per Month.			Per Day.			Per Month		
£.	s.	d.	£.	s.	d.	£.	s.	d.
5	0	0	0	1	9	2	9	0
4	15	6	0	1	8	2	6	8
4	10	0	0	1	7	2	4	4
4	5	6	0	1	6	2	2	0
3	15	6	0	1	4	1	17	4
3	11	6	0	1	3	1	15	0
3	5	6	0	1	2	1	12	8
3	1	8	0	1	1	1	10	4
2	19	6	0	1	0 $\frac{1}{2}$	1	9	2
2	17	6	0	1	0	1	8	0
2	15	6	0	0	11 $\frac{1}{2}$	1	6	10
2	13	4	0	0	11	1	5	8
2	10	6	0	0	10 $\frac{1}{2}$	1	4	6
2	7	6	0	0	10	1	3	4
2	5	6	0	0	9 $\frac{1}{2}$	1	2	2
2	2	6	0	0	9	1	1	0
2	1	6	0	0	8 $\frac{1}{2}$	0	19	10
2	0	6	{}	0	8	0	18	8
1	19	6						
1	19	3	{}	0	8	0	18	8
1	17	6						
1	15	6	0	0	7 $\frac{1}{2}$	0	17	6
1	13	6	0	0	7	0	16	4
1	11	6	{}	0	6 $\frac{1}{2}$	0	15	2
1	10	6						
1	9	6	0	0	6	0	14	0
1	3	6	0	0	5	0	11	8
1	2	6	0	0	4 $\frac{1}{2}$	0	10	6
0	19	3	0	0	4	0	9	4
0	14	0	0	0	3	0	7	0

C A P. LIV.

An act for authorising the company of proprietors of the Gloucester and Berkeley canal navigation to vary the line of a certain part of the said canal, so as to render the execution thereof more easy, expeditious, and less expensive; and for altering and amending the act, passed in the thirty-third year of the reign of his present Majesty, for making the said canal.—[May 9, 1797.]

C A P. LV.

An act for taking down and rebuilding the parish church of Milbrooke in the county of Southampton, and for enlarging the church yard of the said parish.—[May 9, 1797]

C A P. LVI.

An act to amend an act made in the twentieth year of the reign of his present Majesty, for building a bridge across the river Wye, between Whitney and Clifford, in the county of Hereford.—[May 9, 1797.]

C A P. LVII.

An act for raising the sum of fourteen millions five hundred thousand pounds by way of annuities.—[May 11, 1797.]

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, being desirous to raise the necessary supplies which we have chearfully granted to your Majesty in this session of parliament, have resolved that the sum of fourteen millions five hundred thousand pounds be raised by annuities, in manner herein-after mentioned; and do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That every contributor towards raising the said sum of fourteen millions five hundred thousand pounds shall, for every one hundred pounds contributed and paid, either in money or in exchequer bills, as herein-after is mentioned, be entitled to the principal sums of one hundred pounds and twenty-five pounds in consolidated annuities after the rate of three pounds *per centum per annum*; and also to a further principal sum of fifty pounds in reduced annuities after the rate of three pounds *per centum per annum*; and also to a further principal sum of twenty pounds in annuities after the rate of four pounds *per centum per annum*, redeemable by parliament; the said several consolidated annuities after the rate of three pounds *per centum per annum*, to commence from the fifth day of January one thousand seven hundred and ninety-seven; the said reduced annuity after the rate of three pounds *per centum per annum*, and the said annuity after the rate of four pounds *per centum per annum*, to commence from the fifth day of April one thousand seven hundred and ninety-seven; and every such contributor shall also be entitled, in respect of every such one hundred pounds so contributed, to a further annuity of six shillings and sixpence, (subject to a deduction as herein-after mentioned), to continue for a certain term of sixty-two years and nine months, from the fifth day of April one thousand seven hundred and ninety-seven, and then to cease; and that the said several consolidated annuities after the rate of three pounds *per centum*, and the said reduced annuity after the rate of three pounds *per centum* respectively, and the said annuity after the rate of four pounds *per centum*, and the said further annuity of six shillings and sixpence (subject to such deduction as herein-after is mentioned) in respect of each one hundred pounds so to be contributed as aforesaid,

Every contributor of 100l. towards raising £4,500,000l. to be entitled to a principal of 100l. and 25l. in the 3 per cent. consols; a principal of 50l. in the 3 per cents. reduced; a principal of 20l. in the 4 per cents. and an annuity of 6s. 6d. for a certain term, payable out of the consolidated fund, half-yearly.

shall be charged and chargeable upon, and are hereby charged upon and made payable out of the consolidated fund, and shall be payable and transferrable at the bank of *England*; and the said consolidated annuities after the rate of three pounds *per centum* shall be paid half-yearly, on the fifth day of *July* and the fifth day of *January* in every year; and the said reduced annuity after the rate of three pounds *per centum*, and the said annuity after the rate of four pounds *per centum*, shall be paid half-yearly, on the tenth day of *October* and the fifth day of *April* in every year; and the said annuity of six shillings and sixpence (subject to such deduction as herein-after mentioned) to continue for a certain term of sixty-two years and nine months, from the said fifth day of *April* one thousand seven hundred and ninety-seven, and then to cease, shall be paid half-yearly, on the tenth day of *October* and the fifth day of *April* in every year.

II. And be it further enacted, That every contributor towards raising the said sum of fourteen millions five hundred thousand pounds, shall, in proportion to every one hundred pounds so contributed and paid, contribute a further proportional sum to any loan not exceeding three millions five hundred thousand pounds, of 3,500,000. which shall be made by virtue of any act or acts to be passed in the present session of parliament: provided always, That in case provision shall not be made by any act or acts to be passed in the present session of parliament, for a further loan to the amount of the annuity of three millions five hundred thousand pounds, over and above the 6s. 6d. said fourteen millions five hundred thousand pounds, a deduction of sixpence shall be made from the amount of the annuity of six shillings and sixpence herein-before mentioned, upon every one hundred pounds contributed towards the said loan of fourteen millions five hundred thousand pounds, for and in respect of every million, by which the total amount of such further loan or loans shall be less than three millions five hundred thousand pounds; and in case provision shall not be so made for any part of the said three millions five hundred thousand pounds, a deduction of one shilling and sixpence shall be made from the amount of the annuity of six shillings and sixpence before mentioned.

III. And whereas, pursuant to and upon the terms and conditions herein mentioned, several persons have, in books opened at the bank of England for that purpose, subscribed together the whole of the said sum of fourteen millions five hundred thousand pounds, to be raised by annuities, and made deposits of ten pounds *per centum* on the respective sums by them so subscribed to the said sum of fourteen millions five hundred thousand pounds, with the cashier or cashiers of the governor and company of the bank of England, and have also made further deposits of ten pounds *per centum* towards raising any further loan or loans not exceeding three millions five hundred thousand pounds, by virtue of any act or acts to be passed in this session of parliament, before the twenty-sixth day of May one thousand seven hundred and ninety-seven; be it therefore enacted, That it shall and may be lawful to and for such contributors, who have made such deposits with the cashier or cashiers of the governor and company of the

remainder of
subscriptions
by instal-
ments.

bank of *England*, (which cashier or cashiers is and are hereby appointed the receiver and receivers of such contributions, without any other warrant to be had in that behalf,) to advance and pay unto the said cashier or cashiers of the governor and company of the bank of *England*, the several remainders of the sums by them respectively subscribed, towards the said sum of fourteen millions five hundred thousand pounds, either in money or exchequer bills, as herein-after is mentioned, at or before the respective days and times, and in the proportions herein-after limited, and appointed in that behalf, (that is to say), The further sum of ten pounds *per centum*, on or before the twenty-sixth day of *May* one thousand seven hundred and ninety-seven, the further sum of fifteen pounds *per centum*, on or before the twenty-first day of *June* then next following, the further sum of ten pounds *per centum*, on or before the eighteenth day of *July* then next following, the further sum of ten pounds *per centum*, on or before the fifteenth day of *August* then next following, the further sum of ten pounds *per centum*, on or before the fifteenth day of *September* then next following, the further sum of fifteen pounds *per centum*, on or before the seventeenth day of *October* then next following, the further sum of ten pounds *per centum*, on or before the seventeenth day of *November* then next following, and the remaining sum of ten pounds *per centum*, on or before the twenty-ninth day of *December* then next following: provided always, That if provision shall not be made by any act or acts to be passed in this session of parliament, before the twenty-sixth day of *May* one thousand seven hundred and ninety-seven, for raising such further loan or loans to the full additional amount of three millions five hundred thousand pounds, the excess of each additional sum so deposited by every contributor, over and above the proportional deposit on any such further loan or loans, less in the whole than three millions five hundred thousand pounds, shall be carried to the account of such contributor, and deemed a part of the second payment to be made by him towards raising the loan of fourteen millions five hundred thousand pounds, and that if provision shall not be made in like manner towards raising any part of the said additional sum of three millions five hundred thousand pounds, the whole of each additional sum so deposited as aforesaid by any contributor, shall be carried to the account of such contributor, and deemed part of the second payment to be made by him or her towards raising the said sum of fourteen millions five hundred thousand pounds.

Exchequer IV. And be it further enacted, That every contributor who bills made out pursuant to 37Geo.3.c.10. shall be possessed of any exchequer bill or bills made out by virtue of an act, passed in the present session of parliament, intituled, dated prior to An act for raising the sum of eighteen millions by way of annuities, Jan 21, 1797, which were dated previous to the twenty-first day of January or such as are contained in the annexed schedule, to be received as purchase of the said annuities, and such exchequer bill or bills shall

shall be received as money by the cashier or cashiers of the said governor and company, and placed as such to the credit of the contributor or contributors paying or delivering in the same.

V. And be it further enacted, That every contributor who shall be possessed of any exchequer bill or bills made out by virtue of the said last mentioned act, which shall bear date at any time after the first day of *May* one thousand seven hundred and ninety-seven, and which shall become payable on the twenty-fifth day of *August* one thousand seven hundred and ninety-seven, shall be at liberty to pay or deliver in the same on account of the installment which shall become due by virtue of this act on the twenty-sixth day of *May* one thousand seven hundred and ninety-seven, and such exchequer bill or bills shall be received as money by the cashier or cashiers of the said governor and company, and placed as such to the credit of the contributor or contributors paying or delivering in the same: provided always, That no such last-mentioned exchequer bill or bills shall be so received, unless the condition before-mentioned, and the purpose for which the same shall be issued, shall be inserted therein, and the amount and number of such bills so issued shall be contained in a list to be made out by the direction of the lords commissioners of his Majesty's treasury, and certified to the governor and company of the bank of *England*, or their cashier or cashiers; and the said lords commissioners are hereby authorised to cause any exchequer bills to be issued under the authority of the said last mentioned act to be so made out and certified as aforesaid.

VI. And be it further enacted, That it shall and may be law. Guardians ful for any guardian or trustee, having the disposition of the money or effects of any infant, to contribute and pay any money, or deliver in any exchequer bill or bills before-mentioned, for or towards advancing the said sum of fourteen millions five hundred thousand pounds, to be raised by annuities in manner aforesaid; and such infant, upon the payment of such sum or sums of money, or delivery of such bill or bills by such guardian or trustee, shall become a contributor within the meaning of this act, and be entitled to have and receive the annuities, advantages, and payments, in respect thereof, in such and the like manner as any other contributor; and the said guardian and trustee, as to the said sum or sums so advanced, or exchequer bill or bills delivered in, is hereby discharged, so as the name of such infant be expressed in the receipt or receipts for such money or exchequer bill or bills.

VII. And be it further enacted, That every contributor paying of the whole of the sums by them respectively subscribed in respect of the said sum of fourteen millions five hundred thousand pounds, the whole of to be contributed as aforesaid either in money or in exchequer bills, the subscription at any time on or before the seventeenth day of November one thousand seven hundred and ninety-seven, shall be entitled to an allowance of so much money as the interest of each sum so paid in advance for completing his, her, or their contribution respectively shall amount unto, after the rate of four pounds per centum

per annum from the day of completing the same to the twenty-ninth day of *December* one thousand seven hundred and ninety-seven; which allowance is to be paid by the said cashier or cashiers out of the money to be contributed in pursuance of this act, as soon as such respective contributors, their executors, administrators, successors, or assigns, shall have completed such payments.

and on sub-
scriptions ad-
vanced in
part.

VIII. And be it further enacted, That every such contributor who shall advance and pay unto the cashier or cashiers of the governor and company of the bank of *England*, any such proportional part or parts of the sums by him or her contributed, which by this act are limited to be paid by installment, before the day on which such installment shall be made payable (such proportional part or parts not amounting to the whole of his or her contribution,) shall be entitled to an allowance of so much money as the interest of each sum so paid in advance for completing any such installment shall amount unto, after the rate of five pounds *per centum per annum* from the day of completing the same to the day on which the same shall become payable by virtue of this act, which last-mentioned allowance shall be paid by the said cashier or cashiers out of the money to be contributed in pursuance of this act as soon as such respective contributors, their executors, administrators, successors, or assigns, shall have completed such payments.

Contributors
entitled to
certain an-
nuities.

IX. And be it further enacted, That the several subscribers or contributors, their executors, administrators, successors, and assigns, in respect of the said sum of fourteen millions five hundred thousand pounds, shall for every one hundred pounds by him, her, or them respectively advanced and paid, be entitled to annuities after the rate of three pounds *per centum* in respect of the said principal sums of one hundred pounds and twenty-five pounds, to commence from the fifth day of *January* one thousand seven hundred and ninety-seven, until redemption by parliament in manner herein-after mentioned; and shall also be entitled in respect of every such one hundred pounds so advanced and paid, to a reduced annuity after the rate of three pounds *per centum*, in respect of the additional principal sum of fifty pounds, from the fifth day of *April* one thousand seven hundred and ninety-seven, until redemption by parliament in manner herein-after mentioned; and shall also be entitled in respect of every such one hundred pounds so advanced and paid, to a further annuity after the rate of four pounds *per centum per annum* in respect of the additional principal sum of twenty pounds, from the fifth day of *April* one thousand seven hundred and ninety-seven, until redemption by parliament in manner herein-after mentioned; and shall also be entitled in respect of every such one hundred pounds so advanced and paid, to a further annuity of six shillings and sixpence (subject to a deduction as herein-before mentioned) to continue for the term of sixty-two years and nine months, from the fifth day of *April* one thousand seven hundred and ninety-seven, and then to cease; which said respective annuities, after the rate of

of three pounds *per centum*, and of three pounds *per centum*, and of four pounds *per centum* respectively, and of six shillings and sixpence, (subject to such deduction as herein-before is mentioned), shall be payable and paid half-yearly, by even and equal portions, (that is to say), The said first-mentioned several annuities after the rate of three pounds *per centum*, on the fifth day of July and the fifth day of January in every year; and the said reduced annuities after the rate of three pounds *per centum*, and the said annuities after the rate of four pounds *per centum*, on the tenth day of October and the fifth day of April in every year; and the said annuity of six shillings and sixpence (subject to such deduction as aforesaid) on the said tenth day of October and the said fifth day of April in every year; the first payment upon the said first-mentioned several annuities after the rate of three pounds *per centum*, to be due on the fifth day of July one thousand seven hundred and ninety-seven; and on the said reduced annuity after the rate of three pounds *per centum*, and on the said annuity after the rate of four pounds *per centum*, on the tenth day of October one thousand seven hundred and ninety-seven; and on the said annuity of six shillings and sixpence (subject to such deduction as aforesaid) on the said tenth day of October one thousand seven hundred and ninety-seven; but shall not be payable until the respective contributors, their executors, administrators, successors, or assigns, shall have completed the whole of the sums by them subscribed for the purchase of the said annuities.

X. Provided always, and be it further enacted, That all and Contributors every such contributor or contributors, his, her, or their execu- paying the whole of their subscriptions as herein specified, to be entitled to annuities from certain periods.
 tors, administrators, and assigns, who shall have paid or delivered into the hands of the said cashier or cashiers the whole of his, her, or their contribution in respect to the said several consolidated annuities after the rate of three pounds *per centum per annum*, on or before the second day of July one thousand seven hundred and ninety-seven, shall be entitled to have and receive, on the fifth day of July one thousand seven hundred and ninety-seven, at the bank of England, the half-year's annuities after the rate of three pounds *per centum*, that shall become due on the said fifth day of July one thousand seven hundred and ninety-seven; and that all and every person or persons who shall have completed the whole of his, her, or their said payment or payments in respect to the said reduced annuities after the rate of three pounds *per centum*, or in respect to the said annuity of four pounds *per centum*, or in respect to the annuities of six shillings and sixpence (subject to such deduction as aforesaid), on or before the seventh day of October one thousand seven hundred and ninety-seven, shall be entitled to have and receive, on the tenth day of October one thousand seven hundred and ninety-seven, the half-year's annuity, after the rate of three pounds *per centum*, or four pounds *per centum*, or six shillings and sixpence (subject to such deduction as aforesaid), or either of them respectively, whereupon such payments shall have been completed and shall become due, on the tenth day of October one thousand seven hundred and ninety-seven.

Annuities payable at the bank.

XI. And be it further enacted, That all the annuities aforesaid shall be payable and paid, and be transferrable at the bank of England, and as to the said several annuities of three pounds per centum, and of three pounds *per centum*, and of four pounds *per centum* respectively, shall be subject to such redemption as is herein-after mentioned.

The bank to appoint a cashier and accountant general, and the treasury to order money to be issued to the cashier.

XII. And, for the more easy and sure payment of all the several annuities established by this act, be it further enacted, That the said governor and company of the bank of England, and their successors, shall from time to time, until all the said annuities shall be redeemed or determined, appoint and employ one or more sufficient person or persons, within their office in the city of London, to be their chief or first cashier or cashiers, and one other sufficient person, within the same office, to be their accountant general; and that so much of the monies by this act appropriated for the purpose, as shall be sufficient from time to time to answer the said several and respective annuities, and other payments, herein directed to be made out of the said monies, shall, by order of the commissioners of the treasury, or any three or more of them, or the high treasurer for the time being, without any further warrant to be sued for, had, or obtained in that behalf, from time to time, at the respective days of payment in this act appointed for payment thereof, be issued and paid at the receipt of the exchequer to the said first or chief cashier or cashiers of the said governor and company of the bank of England, and their successors, for the time being, by way of imprest and upon

Cashier to pay annuities without delay, and the accountant general to inspect his accounts.

account, for the payment of the said several and respective annuities payable by virtue of this act; and that such cashier or cashiers, to whom the said money shall from time to time be issued, shall from time to time, without delay, pay the same accordingly, and render his or their accounts thereof, according to the due course of the exchequer; and that the said accountant general for the time being shall, from time to time, inspect and examine all receipts and payments of the said cashier or cashiers, and the vouchers relating thereto, in order to prevent any fraud, negligence, or delay.

Cashier to give receipts for subscriptions, which may be assigned before Nov. 16, 1797.

XIII. And be it further enacted, That the cashier or cashiers of the governor and company of the bank of England, who shall have received, or shall receive, any part of the said contributions towards the said sum of fourteen millions five hundred thousand pounds, shall give receipts, in writing, to every such contributor, for all such sums and exchequer bills; and that the receipts to be given shall be made out separate in respect of the first mentioned several annuities, after the rate of three pounds *per centum*, the last mentioned annuities after the like rate, the annuities after the rate of four pounds *per centum*, and the annuities to continue for sixty-two years and nine months, as aforesaid, distinguishing each stock; and such receipts shall be assignable, by indorsement thereupon made, at any time before the sixteenth day of November one thousand seven hundred and ninety-seven, and no longer: provided always, That such cashier or cashiers shall give security to the

Cashier to give security.

the good liking of any three or more of the commissioners of the treasury, or the high treasurer for the time being, for duly answering and paying into the receipt of his Majesty's exchequer, for the publick use, all the monies and exchequer bills which they have already received, and not already paid in, and which they shall hereafter receive, from time to time, of and for the said sum of fourteen millions five hundred thousand pounds, and for accounting duly for the same, and for performance of the trust hereby in them reposed ; and shall from time to time pay and deliver all such monies and exchequer bills as soon as he or they shall receive the same, or any part thereof, or within five days afterwards at the farthest, into and shall account for the same in the exchequer, according to the due course thereof, deducting thereout such sums as shall have been paid by him or them in pursuance of this act, for which sums so paid allowance shall be made in his or their accounts.

XIV. And be it further enacted, That in the office of the accountant general of the governor and company of the bank of England for the time being, a book or books shall be provided and kept, in which the names of the contributors shall be fairly entered ; which book or books the said respective contributors, their respective executors, administrators, successors, and assigns, shall and may from time to time, and at all seasonable times, resort to and inspect without any fee or charge, and that the said accountant general shall, on or before the fist day of July one thousand seven hundred and ninety-eight, transmit an attested duplicate, fairly written on paper, of the said book or books into the office of the auditor of the receipt of his Majesty's exchequer, there to remain for ever.

XV. And be it further enacted, That such contributors, paying the whole sum so subscribed, either in money or exchequer bills, at or before the respective times in this act limited in that behalf, and their respective executors, administrators, successors, and assigns, shall have, receive, and enjoy, and be entitled by virtue of this act to have, receive, and enjoy, the said several annuities, by this act granted in respect of the sum so subscribed, out of the monies granted and appropriated in this session of parliament for payment thereof, and shall have good and sure interests and estates therein, according to the several provisions in this act contained, as well in respect of the said transferrable annuities, after the rate of three pounds, and of three pounds *per centum per annum*, and of four pounds *per centum per annum* respectively, as of six shillings and sixpence *per annum* (subject to such deduction as aforesaid), payable and transferrable at the bank of England; and that the said several annuities shall be free from all taxes, charges, and impositions whatsoever : provided always, That in case any such contributors who have already deposited with, or shall hereafter pay to, the said cashier or cashiers any sum or sums of money, or deliver any exchequer bill or bills at the time, and in the manner herein before mentioned, in part of the sum or sums so by them respectively subscribed towards raising the sum of

Cashier to pay
money and ex-
chequer bills,
within five
days after re-
ceived, into
the exche-
quer.

paid in part,
and not com-
pleted, for-
feited.

Anno regni tricesimo septimo GEORGII III. c. 57. [1796.]

of fourteen millions five hundred thousand pounds, and their respective executors, administrators, successors, or assigns, shall not advance in money or exchequer bills to the said cashier or cashiers the residue of the sum or sums so subscribed at the times, and in the manner before mentioned, then and in every such case, so much of the respective sum or sums so subscribed as shall have been actually paid in part thereof to the said cashier or cashiers, in respect of the said sum of fourteen millions five hundred thousand pounds, shall be forfeited for the benefit of the publick; and all right and title to the said annuities, after the rate of three pounds, and of three pounds *per centum per annum*, and of four pounds *per centum per annum* respectively, and of six shillings and sixpence *per annum* (subject to such deduction as aforesaid) in respect thereof, shall be extinguished; any thing in this act contained to the contrary thereof in anywise notwithstanding.

As soon as
subscriptions
are completed
they may be
transferred.

XVI. And be it further enacted, That as soon as any contributors, their executors, administrators, successors, or assigns, shall have completed their payments of such part of the whole sum payable by them respectively towards the said sum of fourteen millions five hundred thousand pounds, as shall be payable in respect of the several consolidated annuities after the rate of three pounds *per centum*, or any part thereof, to which they respectively shall become entitled in respect of such subscriptions, the principal sum or sums in the said consolidated annuities shall forthwith be, in the books of the bank of *England*, placed to the credit of such respective contributors, their executors, administrators, successors, and assigns, completing such payments respectively; and as soon as such contributors, their executors, administrators, successors, or assigns, shall have completed the payments of such part of the whole sum payable by them respectively towards the said sum of fourteen millions five hundred thousand pounds, as shall be payable in respect of the said reduced annuities after the rate of three pounds *per centum*, or any part thereof, or in respect of the annuities after the rate of four pounds *per centum*, or any part thereof, or of the annuities of six shillings and sixpence (subject to such deduction as aforesaid), or of any or either of them, the respective principal sums or annuities shall forthwith be, in the books of the bank of *England*, placed to the credit of such respective contributors, their respective successors, executors, administrators, and assigns, completing such respective payments; and the persons to whose credit such principal sums shall be so placed, their respective executors, administrators, successors, and assigns, shall and may have power to assign and transfer the same, or any part, share, or proportion thereof, to any other person or persons, body or bodies politick or corporate whatsoever, in the books of the bank of *England*; and such sums shall carry the several first-mentioned annuities after the rate of three pounds *per centum per annum*, and the said reduced annuities after the rate of three pounds *per centum per annum*, and of four pounds *per centum per annum*, respectively, redeemable by parliament, and the annuity of six shillings and sixpence *per annum* (subject to

to such deduction as aforesaid) for sixty-two years and nine months, and then to cease; and shall respectively be taken and deemed to be stock transferrable according to the true intent and meaning of this act, until redemption of all the said annuities, after the rate of three pounds *per centum per annum*, and of four pounds *per centum per annum*, in such manner as is herein-after mentioned, and until the determination of the said annuity of six shillings and sixpence *per annum* (subject to such deduction as aforesaid), at the expiration of the said period of sixty-two years and nine months.

XVII. And be it further enacted, That all persons who shall be entitled to any of the annuities hereby granted in respect of the said sum of fourteen millions five hundred thousand pounds, and all persons lawfully claiming under them, shall be possessed thereof as of a personal estate, which shall not be descendible to heirs, nor liable to any foreign attachment by the custom of London, or otherwise; any law, statute, or custom, to the contrary notwithstanding.

XVIII. And be it further enacted, That it shall and may be lawful for three or more of the commissioners of the treasury, or the high treasurer for the time being, to issue and apply from time to time all such sums of money as already have been or shall be so paid into the receipt of his Majesty's exchequer by the said cashier or cashiers, to such services as shall then have been voted by the commons of Great Britain in this present session of parliament.

XIX. And be it further enacted, That books shall be constantly kept by the said accountant general for the time being, wherein all assignments or transfers of all sums advanced or contributed towards the said sum of fourteen millions five hundred thousand pounds, shall be entered and registered; which entry shall be conceived in proper words for that purpose, and shall be signed by the parties making such assignments or transfers, or if such parties be absent, by their respective attorney or attorneys thereunto lawfully authorised, in writing under his or their hand and seal, or hands and seals, to be attested by two or more credible witnesses; and that the several persons to whom such transfers shall be made, shall respectively underwrite their acceptance thereof, and that no other method of assigning and transferring the said annuities, or any part thereof, or any interest therein, shall be good or available in law: provided always, That in whose office, wills devising stock must be entered. all persons possessed of any share or interest in either of the said stocks of annuities, or any estate or interest therein, may devise the same by will, in writing, attested by two or more credible witnesses; but that no payment shall be made upon any such devise, until so much of the said will as relates to such share, estate, or interest, in the said stocks of annuities be entered in the said office; and that in default of such transfer or devise, such share, estate, or interest, in the said stocks of annuities, shall go to the executors, administrators, successors, and assigns; and that

Transfers not liable to stamp no stamp duties whatsoever shall be charged on any of the said transfers; any law or statute to the contrary notwithstanding.

Treasury to pay incidental expences out of contributions, and to allow salaries to the cashier and account-ant general.

XX. Provided always, and be it further enacted, That out of the monies arising from the contributions towards raising the said sum of fourteen millions five hundred thousand pounds by annuities, any three or more of the commissioners of the treasury, or the high treasurer for the time being, shall have power to discharge all such incident charges as shall necessarily attend the execution of this act, in such manner as to them shall seem just and reasonable; and also to settle and appoint such allowances as shall be thought proper for the service, pains, and labour, of the said cashier or cashiers, for receiving, paying, and accounting for the said contributions; and shall have power to make, out of the consolidated fund, such further allowances as shall be judged reasonable for the service, pains, and labour, of the said cashier or cashiers, for receiving, paying, and accounting for the said annuities payable by virtue of this act; and also for the service, pains, and labour of the said accountant general, for performing the trust reposed in him by this act; all which allowances to be made as aforesaid, in respect of the service, pains, and labour, of any officer or officers of the said governor and company, shall be for the use and benefit of the said governor and company, and at their disposal only.

The 3l. per cents. consols under this act to be added to the joint stock of 3l. per cent. consols;

XXI. And be it further enacted, That all the monies to which any person or persons shall become entitled by virtue of this act, in respect of any sum advanced or contributed towards the said sum of fourteen millions five hundred thousand pounds, on which the said respective annuities first mentioned, after the rate of three pounds *per centum per annum*, shall be attending, shall be added to the joint stock of annuities transferrable at the bank of *England*, into which the several sums carrying an interest after the rate of three pounds *per centum per annum* were, by several acts made in the twenty-fifth, twenty-eighth, twenty-ninth, thirty-second, and thirty-third years of the reign of his late majesty King *George* the Second, and by several subsequent acts, consolidated, and shall be deemed part of the said joint stock of annuities, subject nevertheless to redemption by parliament, in such manner and upon such notice as in the said act, made in the twenty-fifth year of his said late Majesty's reign, is directed, in respect of the several and respective annuities redeemable by virtue of the said act; and that all and every person and persons, and corporations whatsoever, in proportion to the money to which he, she, or they, shall become entitled as aforesaid by virtue of this act, shall have and be deemed to have a proportional interest and share in the said joint stock of annuities, at the rates aforesaid.

and the 3l. per cent. reduced, to the joint stock of 3l. per cents. re-duced;

XXII. And be it further enacted, That all the monies to which any person or persons shall become entitled by virtue of this act, in respect of any sum advanced or contributed towards the said sum of fourteen millions five hundred thousand pounds, on

on which the said annuity last mentioned, after the rate of three pounds *per centum per annum*, shall be attending, shall be added to the joint stock of annuities transferrable at the bank of *England*, which, by an act made in the twenty-third year of the reign of his late Majesty, were reduced from four pounds *per centum per annum* to three pounds *per centum per annum*, and shall be deemed part of the said joint stock of annuities, subject nevertheless to redemption by parliament, in such manner and upon such notice as in the several acts by which the said annuities, after the rate of four pounds *per centum per annum*, were respectively granted, are directed in respect of the annuities redeemable by virtue thereof; and that all and every person and persons, and corporations whatsoever, in proportion to the money to which he, she, or they, shall become entitled as aforesaid by virtue of this act, shall have, and be deemed to have, a proportional interest and share in the said joint stock of annuities at the rate aforesaid.

XXIII. And be it further enacted by the authority aforesaid, That all the monies to which any person or persons shall become entitled by virtue of this act in respect of any sum advanced or contributed towards the said sum of fourteen millions five hundred thousand pounds, on which the said annuity after the rate of four pounds *per centum per annum* shall be attending, shall be added to the joint stock of annuities transferrable at the bank of *England*, into which the several sums carrying an interest after the rate of four pounds *per centum per annum*, were, by two acts made in the twentieth and twenty-first years of the reign of his present Majesty, and by several subsequent acts, converted, and shall be deemed part of the said joint stock of annuities, subject nevertheless to redemption by parliament, in such manner and upon such notice as in the said acts are directed in respect of the annuities redeemable by virtue of the said acts; and that all and every person or persons, and corporations whatsoever, in proportion to the money to which he, she, or they, shall become entitled as aforesaid by virtue of this act, shall have, and be deemed to have, a proportional interest and share in the said joint stock of annuities, at the rate aforesaid.

XXIV. And be it further enacted, That all the said annuities after the rate of six shillings and sixpence *per annum*, (subject to such deduction as aforesaid), to continue for a certain term of sixty-two years and nine months, from the fifth day of April one thousand seven hundred and ninety-seven, and then to cease, to which any person or persons, bodies politick and corporate, shall be entitled by virtue of this act, in respect of any sum or sums of money advanced or contributed towards raising the said sum of fourteen millions five hundred thousand pounds as aforesaid, shall be added to and made one joint stock with certain annuities which, by two acts made in the first and second years of the reign of his present Majesty, were granted and made payable at the bank of *England* for the respective terms of ninety-nine years and ninety-eight years from the fifth days of January one thousand seven hundred and sixty-

Annuities of
6s. 6d. to be
added to the
annuities for
one 99 and 98
years.

Annuities granted by this act, to be paid out of the consolidated fund.

sixty-one, and one thousand seven hundred and sixty-two, respectively, and then to cease; and which said respective annuities were consolidated and made one joint stock of annuities by divers acts made in the reign of his present Majesty, and shall be paid, payable, and transferrable, at the same time and times, and in like manner with the said annuities granted by the said acts; and so much money shall, from time to time, continue to be set apart and issued at the receipt of the exchequer, to the said cashier or cashiers of the bank of *England*, as shall be sufficient to satisfy and pay so much of the said annuities, after the respective rates of three pounds *per centum per annum*, of three pounds *per centum per annum*, of four pounds *per centum per annum*, and the annuities hereby granted, to continue for a certain term of sixty-two years and nine months, from the said fifth day of April one thousand seven hundred and ninety-seven, and then to cease, together with the charges attending the same, out of the consolidated fund; any thing herein contained to the contrary notwithstanding.

Persons counterfeiting receipts for contributions, &c. to suffer death.

XXV. And be it further enacted, That if any person or persons shall forge or counterfeit, or cause or procure to be forged or counterfeited, or shall willingly act or assist in the forging or counterfeiting any receipt or receipts for the whole of, or any part or parts of, the laid contributions towards the said sum of fourteen millions five hundred thousand pounds, either with or without the name or names of any person or persons being inserted therein, as a contributor or contributors thereto, or payer or payers thereof, or of any part or parts thereof, or shall alter any number, figure, or word therein, or utter or publish, as true, any such false, forged, counterfeited, or altered receipt or receipts, with intent to defraud the governor and company of the bank of *England*, or any body politick or corporate, or any person or persons whatsoever, every such person or persons so forging or counterfeiting, or causing or procuring to be forged or counterfeited, or willingly acting or assisting in the forging or counterfeiting, or altering, uttering, or publishing as aforesaid, being thereof convicted in due form of law, shall be adjudged guilty of felony, and shall suffer death as a felon without benefit of clergy.

The bank to continue a corporation till the annuities hereby granted cease.

XXVI. Provided always, and be it further enacted, That the said governor and company of the bank of *England*, and their successors, notwithstanding the redemption of all or any of their own funds, in pursuance of the acts for establishing the same, or any of them, shall continue a corporation for the purposes of this act, until all the annuities by this act granted shall be redeemed by parliament, or shall cease, as aforesaid; and that the said governor and company of the bank of *England*, or any member thereof, shall not incur any disability, for or by reason of their doing any matter or thing in pursuance of this act.

No fee to be taken for receiving subscriptions, or paying or transferring

XXVII. And be it further enacted, That no fee, reward, or gratuity whatsoever, shall be demanded or taken of any of his Majesty's subjects, for receiving or paying the said subscription or contribution monies, or any of them, or for any receipt concerning the same, or for paying the said annuities, or any of them,

them, or for any transfer of any sum, great or small, to be made annuities, or in pursuance of this act, upon pain that any officer or person offending, by taking or demanding any such fee, reward, or gratuity, shall, for every such offence, forfeit the sum of twenty pounds to the party aggrieved, with full costs of suit, to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at Westminster, wherein no escheat, protection, privilege, or wager of law, injunction, or order of restraint, or any more than one imparlance, shall be granted or allowed.

XXVIII. And be it further enacted, That if any person or persons shall be sued, molested, or prosecuted, for any thing done by virtue or in pursuance of this act, such person or persons shall and may plead the general issue, and give this act and the special matter in evidence, in his, her, or their defence or defences, and if afterwards a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall discontinue his, her, or their action or prosecution, or be non-suited, or judgement shall be given against him, her, or them, upon demurrer or otherwise, then such defendant or defendants shall have treble costs awarded to him, her, or them, against any such plaintiff or plaintiffs.

XXIX. Provided always, and be it enacted, That this act, or any part thereof, may be altered or varied by any act to be passed in this session of parliament.

S C H E D U L E to which this act refers.

AN account of certain exchequer bills issued at par, between the seventh day of April one thousand seven hundred and ninety-seven and the twenty-sixth day of April one thousand seven hundred and ninety-seven, for the publick service, under an engagement on the part of the lords commissioners of his Majesty's treasury, to propose to parliament that the said exchequer bills should be received as cash on the deposit of the new loan then intended to be proposed to parliament.

No.			£.	£.
2,489	to 2,493, dated 7th April 1797, of	100 each	500	
3,011	to 3,023, — 11th	500 each	6,500	
3,024	to 3,177, — 12th	500 each	77,000	
3,178	to 3,223, — 12th	500 each	23,000	
2,201	to 2,250, — 13th	200 each	50,000	
2,251	to 2,291, — 15th	200 each	8,200	
3,301	to 3,338, — 15th	500 each	19,000	
2,292	to 2,350, — 15th	200 each	11,800	
3,339	to 3,460, — 15th	500 each	61,000	
2,351	to 2,625, — 26th	200 each	55,000	
3,561	to 3,780, — 26th	500 each	110,000	
				£. 422,000

C A P. LVIII.

An act for repairing or rebuilding the bridge over the river Severn, in the town of Bridgnorth, in the county of Salop, and for opening convenient avenues thereto.—[May 11, 1797.]

C A P. LIX.

An act for guaranteeing the payment of the dividends on a loan of one million six hundred and twenty thousand pounds to the emperor of Germany, and the regular redemption of the capital to be created thereby; for enabling the governor and company of the bank of England to retain the sums granted for repaying advances made by them for the publick service; and for repaying to the contributors to the loans of fourteen millions five hundred thousand pounds, and one million six hundred and twenty thousand pounds, the excess of their deposits beyond the proportional deposits to the said loans.—[May 25, 1797.]

Most gracious Sovereign,

Preamble.
Convention
between his
Majesty and
the emperor
of Germany,
recited.

WHEREAS by a convention, signed on the part of your Majesty and the emperor of Germany, bearing date the fifteenth day of May one thousand seven hundred and ninety-seven, it was agreed, that your Majesty having advanced the sum of one million six hundred and twenty thousand pounds for the service of his imperial Majesty, the said sum of one million six hundred and twenty thousand pounds should be raised by loan on account of his imperial Majesty, on the terms and conditions herein-after mentioned; and that your Majesty had engaged to propose to your parliament to guarantee the regular payment of the half-yearly dividends on the said sum of one million six hundred and twenty thousand pounds, and also to provide for guaranteeing the payment of a sum equal to one pound per centum per annum of the capital to be created by such loan, to be applied to the reduction thereof: and whereas, we, the commons of Great Britain, in parliament assembled, have resolved that provision be made for guaranteeing the payment of the dividends on such loan, and of the said sum to be applied to the reduction of the capital created thereby, conformably to the said convention: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That every contributor towards raising the sum of fourteen millions five hundred thousand pounds, raised by virtue of an act of the present session of parliament, intituled, *An act for raising the sum of fourteen millions five hundred thousand pounds, by way of annuities*, shall, in proportion to every one hundred pounds so contributed and paid, be entitled to subscribe a further proportional sum towards the said loan of one million six hundred and twenty thousand pounds; and that every such contributor shall for every one hundred pounds so contributed towards the said sum of one million

Contributors
to the loan
by virtue of
37 Geo. 3.
c. 57. may
subscribe to a
loan to the
emperor, and
for every 100.
shall be enti-
tled to a prin-
cipal in the
31. per cents.

six hundred and twenty thousand pounds, be entitled to the principal sum of two hundred and twenty-six pounds and ten shillings in annuities, after the rate of three pounds *per centum*, to commence from the thirty-first day of January one thousand seven hundred and ninety-seven, and to be added to and made one joint stock with the three pounds *per centum* annuities, guaranteed by an act passed in the thirty-fifth year of the reign of his present Majesty, intituled, *An act for guaranteeing the payment of the dividends on a loan of four millions six hundred thousand pounds to the emperor of Germany*, and shall be transferrable at the bank of England in the same manner as the said three pounds *per centum* annuities are transferrable there.

II. And whereas several contributors towards raising the said loan of fourteen millions five hundred thousand pounds, raised by virtue of the said act of the present session, have, in books opened at the bank of England for that purpose, made deposits of ten pounds *per centum* on the further sum of three millions five hundred thousand pounds, on the conditions that such part thereof as should be raised by loan by virtue of any act or acts to be passed in this session of parliament, should be deemed to be a deposit for such loan, and the excess thereof shall be carried to the account of such contributor, and deemed a part of the second payment to be made by him towards the said loan of fourteen millions five hundred thousand pounds; be it further enacted, That so much Deposits to of the sums deposited by the said contributors towards the further sum of three millions five hundred thousand pounds, as shall be after the rate of ten pounds *per centum* on the sum of one million six hundred and twenty thousand pounds, shall be deemed a deposit towards the loan to be raised by virtue of this act; and it shall be lawful to and for such contributors who have made such deposits with the cashier or cashiers of the governor and company of the bank of England, (which cashier or cashiers are hereby appointed the receiver and receivers of such contributions, without any other warrant to be had in that behalf), to advance and pay unto the said cashier or cashiers of the governor and company of the bank of England, the several remainders of the sums by them respectively subscribed towards the said sum of one million six hundred and twenty thousand pounds as herein-after is mentioned, at or before the respective days and times, and in the proportions herein-after limited and appointed in that behalf; (that is to say), The further sum of ten pounds *per centum* on or before the twenty-sixth day of May one thousand seven hundred and ninety-seven; the further sum of fifteen pounds *per centum* on or before the twenty-first day of June then next following; the further sum of ten pounds *per centum* on or before the eighteenth day of July then next following; the further sum of ten pounds *per centum* on or before the fifteenth day of August then next following; the further sum of ten pounds *per centum* on or before the fifteenth day of September then next following; the further sum of fifteen pounds *per centum* on or before the seventeenth day of October then next following; the further sum of ten pounds *per centum* on or before the seventeenth day of November.

November then next following; and the remaining sum of ten pounds per centum on or before the twenty-ninth day of December then next following.

Guardians
may subscribe
for infants.

III. And be it further enacted, That it shall and may be lawful for any guardian or trustee having the disposition of the money or effects of any infant, to contribute and pay any money for or towards advancing the said sum of one million six hundred and twenty thousand pounds, to be raised by annuities in manner aforesaid; and such infant, upon the payment of such sum or sums of money by such guardian or trustee, shall become a contributor within the meaning of this act, and be entitled to have and receive the annuities, advantages, and payments in respect thereof, in such and the like manner as any other contributor; and the said guardian and trustee, as to the said sum or sums so advanced, is hereby discharged, so as the name of such infant be expressed in the receipt or receipts for such money; and also in the debenture or debentures, annuity bond or annuity bonds, to be granted on the part of his imperial majesty as herein-after is mentioned.

Discount to
be allowed on
payment of
the whole of
subscriptions
before Nov.
27, 1797.

IV. And be it further enacted, That every contributor paying in the whole of the sums by them respectively subscribed in respect of the said sum of one million six hundred and twenty thousand pounds, to be contributed as aforesaid, at any time on or before the seventeenth day of November one thousand seven hundred and ninety-seven, shall be entitled to an allowance of so much money as the interest of each sum so paid in advance, for completing his, her, or their contribution respectively shall amount unto, after the rate of four pounds *per centum per annum*, from the day of completing the same to the twenty-ninth day of December one thousand seven hundred and ninety-seven; which allowance is to be paid by the said cashier or cashiers, out of the money to be contributed in pursuance of this act, as soon as such respective contributors, their executors, administrators, successors, or assigns, shall have completed such payments.

Discount to be
allowed on
payment of
instalments in
and company of the bank of England,

V. And be it further enacted, That every such contributor who shall advance and pay unto the cashier or cashiers of the governor and company of the bank of England, any such proportional part or parts of the sums by him or her contributed, which by this act are limited to be paid by instalment before the day on which such instalment shall be made payable, (such proportional part or parts not amounting to the whole of his or her contribution), shall be entitled to an allowance of so much money as the interest of each sum so paid in advance for completing any such instalment shall amount unto, after the rate of five pounds *per centum per annum*, from the day of completing the same to the day on which the same shall become payable by virtue of this act, which last mentioned allowance shall be paid by the said cashier or cashiers out of the money to be contributed in pursuance of this act, as soon as such respective contributors, their executors, administrators, successors, or assigns, shall have completed such payments.

In default of
payment by

VI. And be it further enacted, That in default of payment of

of the interest and annuity stipulated to be paid on the part of the emperor, the emperor, on the first day of *May* and the first day of *November*, the dividends to be paid at every year, agreeably to the dividend certificates to be annexed to the bank, and to the debentures and annuity bonds to be granted on the charged upon part of his said imperial majesty, the amount of such dividend the consolidated certificates shall be paid to the respective holders at the bank of dated fund; *England*, on the fifth day of *July* and the fifth day of *January* but not till next after such default, and that the payments so made at the to both loans bank of *England*, in consequence of such default on the part of are completed, his imperial majesty, shall be charged and chargeable upon, and are hereby charged upon and made payable out of the consolidated dated fund, and the same shall be payable and paid at the bank of annuities on *England*, on the days herein-after mentioned; that is to say, the loan under Such of the said dividends wherein default shall be made on the first day of *May* in any year, and shall remain unsatisfied on the fifth day of *July* next ensuing, shall be payable and paid at the bank of *England*, on the fifth day of *July* next ensuing such default; and such of the said dividends wherein default shall be so made on the first day of *November* in any year, and shall remain unsatisfied on the first day of *January* next ensuing, shall be payable and paid at the bank of *England*, on the first day of *January* next ensuing such default: provided always, That no such payment shall be made until the respective contributors towards both the said loans of fourteen millions five hundred thousand pounds, and one million six hundred and twenty thousand pounds, shall have completed the whole of the respective sums by them subscribed, for the purchase of the said several annuities, nor until the person or persons entitled thereunto shall have deposited, or shall produce, from time to time, at the bank of *England*, the debenture or debentures, annuity bond or annuity bonds, for securing his, her, or their share or interest in the principal sums or annuities on the said loan of one million six hundred and twenty thousand pounds.

VII. And be it further enacted, That the several contributors, in respect of the said sum of one million six hundred and twenty thousand pounds, their respective executors, administrators, successors, and assigns, shall, for every one hundred pounds, by him, her, or them respectively advanced and paid, be entitled to annuities after the rate of three pounds *per centum* in respect of the said principal sums of two hundred and twenty-six pounds and ten shillings, to commence from the thirty-first day of *January*, until redemption, in manner herein mentioned; which said annuities, in default of payment thereof by his imperial majesty, or his bankers or agents at or during the times herein-before mentioned, shall be payable and paid half-yearly, by even and equal portions; (that is to say), The fifth day of *July* for the payments becoming due on the first day of *May* preceding, and the fifth day of *January* for the payments becoming due on the first day of *November* preceding, provided that the first payment thereof shall be made for three quarters of a year from the thirty-first day of *January* one thousand seven hundred and ninety-seven, to the first day of *November* next following; but shall not be payable

payable until the respective contributors, their executors, administrators, successors, and assigns, shall have completed the whole of the sums by them subscribed for the purchase of the said annuities.

Contributors
paying the
whole of
subscriptions
by Oct. 25,
1797, to be
entitled to
three quarters
dividends on
Nov. 1, 1797.

VIII. Provided always, and be it further enacted, That all and every such contributor or contributors, his her, or their executors, administrators, and assigns, who shall have paid into the hands of the said cashier or cashiers the whole of his, her, or their contribution, in respect of the said sum of one million six hundred and twenty thousand pounds, on or before the twenty-fifth day of *October* one thousand seven hundred and ninety-seven, shall be entitled to have and receive, on the first day of *November* one thousand seven hundred and ninety-seven at the bank of *England*, the annuities, after the rate of three pounds *per centum* for three quarters of a year that shall become due on the said first day of *November*.

Cashier to
give receipts
for subscrip-
tions, whi-
ch may be assign-
ed before
Nov. 16, 1797.

IX. And be it further enacted, That the cashier or cashiers of the governor and company of the bank of *England*, who shall have received, or shall receive, any part of the said contributions towards the said sum of one million six hundred and twenty thousand pounds, shall give receipts in writing, to every such contributor, for all such sums, which receipt, shall be assignable, by indorsement thereupon made, at any time before the sixteenth day of *November*, and no longer: provided always, That such cashier or cashiers shall give security to the good liking of any three or more of the commissioners of the treasury, or the high treasurer for the time being, for duly answering and paying into the receipt of his Majesty's exchequer, for the publick use, all the monies which they have already received and not already paid in, and which they shall hereafter receive, from time to time, of and for the said sum of one million six hundred and twenty thousand pounds, and for accounting duly for the same, and for performance of the trust hereby in them reposed, and shall, from time to time, pay all such monies as soon as he or they shall receive the same, or any part thereof, or within five days afterwards at the farthest, into, and shall account for the same in the exchequer, according to the due course thereof, deducting thereout such sums as shall have been paid by him or them in pursuance of this act, for which sums so paid allowance shall be made in his or their accounts.

Contributors,
duly paying
subscriptions,
entitled to
annuities
tax free.

X. And be it further enacted, That such subscribers duly paying the whole sum so subscribed, at or before the respective times in this act limited in that behalf, and their respective executors, administrators, successors, and assigns, shall have, receive, and enjoy, and be entitled, by virtue of this act, to have, receive, and enjoy, the said several annuities, in respect of the sum so subscribed in default of payment of the same on the part of his imperial majesty as aforesaid, and shall have good and sure interests and estates therein according to the several provisions in this act contained, payable and transferrable at the bank of *England*, and that the said several annuities shall be free from all taxes, charges, and

and impositions whatsoever: provided always, That in case any such contributors who have already deposited with, or shall hereafter pay to the said cashier or cashiers, any sum or sums of money, at the time and in the manner herein-before mentioned, in part of the sum or sums so by them respectively subscribed towards raising the sum of one million six hundred and twenty thousand pounds, and their respective executors, administrators, successors, or assigns, shall not advance to the said cashier or cashiers the residue of the sum or sums so subscribed, at the times and in the manner before mentioned, then and in every such case so much of the respective sum or sums so subscribed, as shall have been actually paid in part thereof to the said cashier or cashiers in respect of the said sum of one million six hundred and twenty thousand pounds, shall be forfeited for the benefit of the publick, and all right and title to the said annuities in respect thereof shall be extinguished; any thing in this act contained to the contrary thereof in anywise notwithstanding.

XI. And be it further enacted, That in the office of the account general of the governor and company of the bank of *England* for the time being, a book or books shall be provided and kept, in which the debentures and annuity bonds to be issued by the bankers or agents for his imperial majesty shall, after being countersigned by or by the authority of the said account general, be fairly entered, specifying the number and sum of each debenture and annuity bond, and the name or names of the person or persons in which the said debentures and annuity bonds shall be filled up; and the said account general shall, on or before the fifth day of *July* one thousand seven hundred and ninety-eight, transmit an attested duplicate, fairly written on paper, of the said book or books, into the office of the auditor of the receipt of his Majesty's exchequer, there to remain.

XII. And be it further enacted, That it shall and may be lawful for the bankers or agents of the emperor, to advance and pay to the cashier or cashiers of the governor and company of the bank of *England*, before or on the first day of *May* and the first day of *November* in every year, the dividends to grow due on the whole of the loan of the said one million six hundred and twenty thousand pounds, or such part thereof as shall not have been redeemed or paid off by the emperor for the purpose of satisfying the dividends to grow due on those days respectively, or to advance and pay to the said cashier or cashiers, such part of the said dividends as shall have been remitted to them; or shall be in their hands for that purpose, and shall also, on each day appointed for payment of such dividends as aforesaid, deliver to such cashier or cashiers an account in writing, signed by them, of the amount of the sums to grow due at the end of such half-year on such loan, and of the deficiency (if any) in the sums remitted to them, or in their hands, for the purpose aforesaid, together with the amount of the principal sum and interest thereon; which the emperor may have redeemed or repurchased of the

Agents of the emperor may pay to the bank the dividends, and shall deliver accounts of the sums to grow due half-yearly, &c.

If the whole dividends be not paid to the cashier, he is to certify the same to the directors, which shall be transmitted to the treasury, who shall cause the deficiency to be issued out of the consolidated fund.

said loan in pursuance of the provisions contained in the convention before mentioned; and if the whole or the half-yearly dividends shall not be paid to the said cashier or cashiers on or before the day on which the same shall be payable to the respective contributors, their respective executors, administrators, successors, or assigns, according to the stipulations contained in or referred to by the convention before mentioned, the said cashier or cashiers shall, on the day next afterwards, certify the same to the governor and company of the bank of *England*; which certificate shall be by them transmitted under their seal to the commissioners of his Majesty's treasury, or the lord high treasurer, for the time being; and the said commissioners of the treasury, or any three or more of them, or the lord high treasurer for the time being, shall, and they and he are and is hereby empowered in pursuance of such certificate, to cause to be issued within the time herein-before limited, to the governor and company of the bank of *England*, out of the consolidated fund, in case the necessary provision shall not in the mean time be made on the part of his imperial majesty, the amount of the deficiency so certified, receiving from the said governor and company the tallies or certificates of the sums so paid on account of such dividends, according to the intent and meaning of the convention on the part of his Majesty and the emperor before mentioned, in order that his Majesty may be enabled to recover the same, with interest, in the manner therein agreed upon.

Treasury to lay before parliament an account of the sums issued, and of what has been repaid by the emperor.

XIII. And be it further enacted, That the commissioners of the treasury, or the lord high treasurer for the time being, shall cause to be prepared, and shall lay before both houses of parliament, within fourteen days after the commencement of every session, an account of the total sums from time to time issued and applied by virtue of this act, towards paying and satisfying the dividends to grow due on the said loan of one million six hundred and twenty thousand pounds, or any part thereof, and a like account of the total sums from time to time issued and applied by virtue of this act, towards the redemption of the capital to be created by virtue of this act; and also an account of all sums repaid by, or recovered from, or on behalf of the emperor, by reason of such advances, or either of them, together with the interest paid or recovered thereon.

XIV. And whereas, in pursuance of the said convention certain debentures and annuity bonds are to be issued in the name of his imperial majesty, by his said imperial majesty's bankers or agents resident in this kingdom, for securing the principal sums, interest, and annuity on the said loan; be it further enacted, That it shall and may be lawful for the governor and company of the bank of *England*, upon the said debentures or annuity bonds, or any part or parcel thereof, being lodged at the bank of *England*, to authorise and direct their accountant general for the time being to keep books, wherein the persons so depositing such debentures and annuity bonds, or any of them, shall be credited for the amount of the interest according to the principal sums contained in the said debentures,

Debentures issued in the name of the emperor, may be entered at the bank, and transferred.

bentures, and of the annuities contained in the said annuity bonds, and wherein all assignments or transfers of the principal sums, interest, and annuities, of the debentures and annuity bonds respectively so deposited, or of any part or parcel thereof, shall be entered and registered in such manner as the said governor and company shall direct; which entries shall be signed by the parties making such assignments or transfers, or if such parties be absent, by their respective attorney or attorneys thereunto lawfully authorised in writing, under his, her, or their hand and seal, or hands and seals, to be attested by two or more credible witnesses, and that the several persons to whom such transfer shall be made, shall respectively underwrite their acceptance thereof by themselves, or by their respective attorney or attorneys, thereunto lawfully authorised as aforesaid, and that no other method of assigning and transferring at the bank of *England* the principal sums, interest, and annuities, of the debentures and annuity bonds that shall be so deposited at the bank of *England*, or any part or parcel thereof, or any interest therein, shall be good or available in law for the purpose of claiming or demanding any dividend, interest, or annuity, for or on account of such debenture or annuity bonds as shall be deposited at the bank of *England* as aforesaid.

XV. And be it further enacted, That in default of payment of a sum equal to one pound *per centum per annum* of the capital created by the said loan of one million six hundred and twenty thousand pounds, on the part of his imperial majesty, in any year, which payments have been stipulated to be made by four equal payments in the year, *videlicet*, On the first day of February, the first day of May, the first day of August, and the first day of November, in every year; the first payment thereof to be made on the first day of August one thousand seven hundred and ninety-seven, a sum not exceeding the sum of nine thousand one hundred and seventy-three pounds and five shillings, or so much thereof as shall be sufficient for that purpose, shall be set apart quarterly out of the monies composing the consolidated fund, and shall be issued and applied, at the receipt of the exchequer, to the governor and company of the bank of England, on the days, and in the manner herein-after mentioned; that is to say, Such of the said payments wherein default shall have been so made on the first day of February in any year, and shall remain unsatisfied on the fifth day of April next ensuing, shall be issued on the fifth day of April next ensuing; and such of the said payments wherein default shall be so made on the first day of May in any year, and shall remain unsatisfied on the fifth day of July next ensuing, shall be issued on the fifth day of July next ensuing; and such of the said payments wherein default shall be so made on the first day of August in any year, and shall remain unsatisfied on the tenth day of October next ensuing, shall be issued on the tenth day of October next ensuing; and such of the said payments wherein default shall be so made on the first day of November in any year, and shall remain unsatisfied on the fifth

day of January next ensuing, shall be issued on the fifth day of January next ensuing; and the said sums so to be issued at the receipt of the exchequer to the said governor and company shall be placed to the account of the commissioners for the reduction of the national debt, and shall be by them applied, together with the interest arising therefrom, in the redemption of such proportion of the said consolidated stock of annuities as shall be added thereto by virtue of this act.

Treasury may apply the money paid into the exchequer.

XVI. And be it further enacted, That it shall and may be lawful for three or more of the commissioners of the treasury, or the high treasurer for the time being, to issue and apply, from time to time, all such sums of money as already have been or shall be so paid into the receipt of his Majesty's exchequer by the said cashier or cashiers, to such services as shall then have been voted by the commons of Great Britain in this present session of parliament.

Treasury to pay incidental expences out of contributions, and allow salaries to the cashier and accountant general.

XVII. Provided also, and be it further enacted, That out of the monies arising from the contributions, towards raising the said sum of one million six hundred and twenty thousand pounds by annuities, any three or more of the commissioners of the treasury, or the high treasurer for the time being, shall have power to discharge all such incident charges as shall necessarily attend the execution of this act, in such manner as to them shall seem just and reasonable; and also to settle and appoint such allowance as shall be thought proper for the service, pains, and labour, of the said cashier or cashiers, for receiving, paying, and accounting for the said contributions, and shall have power to make, out of the consolidated fund, such further allowances as shall be judged reasonable for the service, pains, and labour of the said cashier or cashiers, for receiving, paying, and accounting for the said annuities payable by virtue of this act, and also for the service, pains, and labour of the said accountant general, for performing the trust reposed in him by this act; all which allowances to be made as aforesaid in respect of the service, pains, and labour, of any officer or officers of the said governor and company, shall be for the use and benefit of the said governor and company, and at their disposal only.

Annuities, with consent of the proprietors, to be added to the 3 per cents. guaranteed by 35 Geo. 3 c. 93.

XVIII. And be it further enacted, That all the monies to which any person or persons shall become entitled by virtue of this act, in respect of any sum advanced or contributed towards the said sum of one million six hundred and twenty thousand pounds, on which the said annuities shall be attending, shall, with the consent of the respective proprietors thereof, be added to the stock of annuities with the three pounds *per centum* annuities, guaranteed by an act passed in the thirty-fifth year of the reign of his present Majesty, before mentioned, and shall be deemed part of the said stock of annuities, transferrable at the bank of England, subject nevertheless to redemption, in such manner as in this act is directed; and that all and every person and persons, and corporations whatsoever, in proportion to the money to which he, she, or they, shall become entitled as aforesaid

said by virtue of this act, shall have and be deemed to have a proportional interest and share in the said joint stock of annuities at the rate aforesaid.

XIX. Provided always, and be it further enacted, That unless any one or more of the contributors towards raising the said sum of one million six hundred and twenty thousand pounds, his, her, or their executors, administrators, successors, or assigns, shall previously to the fifteenth day of June one thousand seven hundred and ninety-seven, signify his, her, or their dissent to the governor and company of the bank of *England*, in writing, in a book to be kept for that purpose, he, she, or they shall be deemed to have consented, and all the said monies shall be added to such stock, according to the directions before mentioned.

XX. And be it further enacted, That no stamp duties whatsoever shall be charged on any of the said debentures or annuity bonds, nor on any of the assignments or transfers thereof, at the bank of *England*, nor on any receipt given for or upon the payment of the said loan, or any part thereof, or of the interests, annuities, or dividends, to grow due thereon; any law or statute to the contrary notwithstanding.

XXI. And be it further enacted, That if any person or persons shall forge, counterfeit, or alter, or cause or procure to be forged, counterfeited, or altered, any debenture or debentures, annuity bond or annuity bonds, purporting to entitle any person or persons, or body politick or corporate, to any principal sum or interest thereon, or any annuity or dividend for or on account of the said loan of one million six hundred and twenty thousand pounds, or any part thereof, or by virtue of this act, or shall wilfully deliver to or deposit with the said governor and company of the bank of *England*, any such forged, counterfeited, or altered debenture or debentures, annuity bond or annuity bonds, knowing the same to be forged, counterfeited, or altered, with intention to defraud the governor and company of the bank of *England*, or any body politick or corporate, or any person or persons whatsoever, or shall forge or counterfeit, or cause or procure to be forged or counterfeited, or knowingly or wilfully act or assist in forging or counterfeiting, any letter of attorney or other authority or instrument, or any indorsement on any such debenture or debentures, annuity bond or annuity bonds, to transfer or assign any such debenture or debentures, or annuity bond or annuity bonds as aforesaid, or any principal sum or sums placed in the name of any person or persons whomsoever in the books of the bank of *England*, as herein mentioned, or any part of such sum or sums, or to receive any such interest, annuity, or dividend as aforesaid, or any of them, or any part thereof, or of any of them, or shall forge or counterfeit, or shall cause or procure to be forged or counterfeited, or wilfully act or assist in forging or counterfeiting, the name or names of any of the proprietors of any of the said debentures or annuity bonds, or any of the said principal sums, interest, annuity, or dividends, or any part thereof, or of any of them, in or to any such pretended letter

No stamp
duties to be
charged for
debentures,
&c.

Penalty for
forging de-
bentures, an-
nuity bonds,
letters of
attorney, &c.

letter of attorney, indorsement, authority, or instrument; or shall knowingly and fraudulently demand, or endeavour to have or receive, any such principal sum or sums, or any part thereof, or of any of them, or any such annuities, interest, or dividends, or any of them, by virtue of any such counterfeited or forged letter of attorney, indorsement, authority, or instrument, or shall falsely and deceitfully personate any true and real proprietor or proprietors of any such debenture or debentures, annuity bond or annuity bonds, or of any of such principal sums as aforesaid, or of any part thereof, or of any such annuities, interest, or dividends, as aforesaid, or of any part thereof, and thereby assign or transfer, or endeavour to assign or transfer, the said debenture or debentures, annuity bond or annuity bonds, or any of them, or the said principal sums, or any of them, or any part thereof, or of any of them, or thereby receive or endeavour to receive any of the said annuities, interest or dividends, or any part thereof, or of any of them, with intent to defraud his Majesty, his heirs or successors, or the governor and company of the bank of *England*, or any body politick or corporate, or any person or persons whomsoever, or shall forge, counterfeit, or alter, or cause or procure to be forged, counterfeited, or altered, any warrant for payment of any annuity, interest, or dividend, herein mentioned, or any indorsement on any warrant for payment of any such annuity, interest, or dividend, or shall offer, dispose of, or put away any such forged, counterfeited, or altered warrant for payment of any annuity, interest, or dividend, as aforesaid, or any warrant for such payment; with such forged, counterfeited, or altered indorsement thereon, or demand the money therein contained, or any part thereof, of the said governor and company of the bank of *England*, or any their officers or servants, knowing such warrant for payment of any such annuity, interest or dividend as aforesaid, or the indorsement on any such warrant for payment of any such annuity, interest, or dividend as aforesaid, to be forged, counterfeited, or altered, with intent to defraud the governor and company of the bank of *England*, or any body politick or corporate, or any person or persons whomsoever, or shall forge or counterfeit, or cause or procure to be forged or counterfeited, or shall willingly act or assist in the forging or counterfeiting, any receipt or receipts for the whole or any part or parts of the said contributions towards the said sum of one million six hundred and twenty thousand pounds, either with or without the name or names of any person or persons being inserted therein as a contributor or contributors thereto, or payer or payers thereof, or of any part or parts thereof, or shall alter any number, figure, or word therein, or utter or publish as true any such false, forged, counterfeited, or altered receipt or receipts, with intent to defraud the governor and company of the bank of *England*, or any body politick or corporate, or any person or persons whatsoever; every person or persons so offending, shall be deemed guilty of felony, and shall suffer death as a felon without benefit of clergy.

XXII. Provided always, and be it further enacted, That the The bank to
said governor and company of the bank of *England*, and their continue a
successors, notwithstanding the redemption of all or any of their corporation
own funds, in pursuance of the acts for establishing the same, or till the an-
any of them, shall continue a corporation for the purposes of this nities cease.
act, until all the annuities by this act granted shall be redeemed
as aforesaid; and that the said governor and company of the bank
of *England*, or any member thereof, shall not incur any disability
for or by reason of their doing any matter or thing in pursuance
of this act.

XXIII. And be it further enacted, That no fee, reward, or No fee to be
gratuity whatsoever shall be demanded or taken of any of his taken for
Majesty's subjects, for receiving or paying the said subscription receiving sub-
or contribution monies, or any of them, or for any receipt con- scripts, or
cerning the same, or for paying the said annuities, or any of paying or
them, or for any transfer of any sum, great or small, to be made annuities, on
in pursuance of this act, upon pain that any officer or person penalty of
offending, by taking, or demanding any such fee, reward, or 20l.
gratuity, shall, for every such offence, forfeit the sum of twenty
pounds to the party aggrieved, with full costs of suit, to be re-
covered by action of debt, bill, plaint, or information, in any
of his Majesty's courts of record at *Westminster*, wherein no
escoin, protection, privilege, or wager of law, injunction, or
order of restraint, or more than one imparlance, shall be granted
or allowed.

XXIV. And be it further enacted, That if any person shall
be sued, molested, or prosecuted, for any thing done by virtue
or in pursuance of this act, such person or persons shall and may
plead the general issue, and give this act and the special matter General issue.
in evidence, in his, her, or their defence or defences; and if
afterwards a verdict shall pass for the defendant or defendants,
or the plaintiff or plaintiffs shall discontinue his, her, or their
action or prosecution, or be nonsuited, or judgement shall be
given against him, her, or them, upon demurrer or otherwise,
then such defendant or defendants shall have treble costs awarded Treble costs.
to him, her, or them, against any such plaintiff or plaintiffs.

XXV. And whereas several sums, amounting together to the sum
of five millions five hundred thousand pounds, have been granted to
his Majesty, towards repaying to the governor and company of the
bank of *England*, advances made by them to that amount, for the
publick service: and whereas the most convenient way of effecting the
same, will be to enable the said governor and company to retain the
amount in the proportions, and at the times, and in manner herein-
after mentioned; be it further enacted, That it shall and may be The bank to
lawful for the said cashier or cashiers, out of the monies which retain
shall be paid to him or them on account of the several instal- 5,500.000.
ments herein-after mentioned, that will become due and payable out of the
on the said loans of fourteen millions five hundred thousand instalments
pounds, and one million six hundred and twenty thousand pounds, on the two
to retain and pay, to the use of the said governor and company, loans, in
the sum of five hundred thousand pounds, out of the instalments part of ad-
which vice. vances for the publick ser-

which will become due and payable on the twenty-first day of June one thousand seven hundred and ninety-seven; the further sum of five hundred thousand pounds out of the instalments which will become due and payable on the eighteenth day of July one thousand seven hundred and ninety-seven; the further sum of eight hundred thousand pounds, out of the instalments which will become due and payable on the fifteenth day of August one thousand seven hundred and ninety-seven; the further sum of eight hundred thousand pounds, out of the instalments which will become due and payable on the fifteenth day of September one thousand seven hundred and ninety-seven; the further sum of one million three hundred thousand pounds, out of the instalments which will become due and payable on the seventeenth day of October one thousand seven hundred and ninety-seven; the further sum of eight hundred thousand pounds, out of the instalments which will become due and payable on the seventeenth day of November one thousand seven hundred and ninety-seven; and any sum not exceeding the further sum of eight hundred thousand pounds, which shall, on the twenty-ninth day of December one thousand seven hundred and ninety-seven, appear, by the certificate of the auditor of the receipt of his Majesty's exchequer, which certificate the said auditor is hereby required to make out, and transmit to the lords commissioners of his Majesty's treasury, on or before the said twenty-ninth day of December one thousand seven hundred and ninety-seven, to be due and payable to the said governor and company, on account of exchequer bills which have been made out in pursuance of an act passed in the last session of parliament, for granting an aid to his Majesty by a land tax, and of another act passed in the same session, for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, out of the instalments which will become due and payable on the twenty-ninth day of December one thousand seven hundred and ninety seven.

Part of 37
Geo. 3. c. 57,
recited.

XXVI. And whereas by the said act of the present session, it is provided, That if provision shall not be made by any act or acts to be passed before the twenty-sixth day of May one thousand seven hundred and ninety seven, for raising a further loan or loans to the full additional amount of three millions five hundred thousand pounds, the excess of each additional sum which has been deposited by every contributor, over and above the proportional deposit on any such further loan or loans less in the whole than three millions five hundred thousand pounds, shall be carried to the account of such contributor, and deemed a part of the second payment to be made by him towards raising the said sum of fourteen millions five hundred thousand pounds: and whereas it is not intended to raise any such further loan above the said loan of one million six hundred and twenty thousand pounds to be raised by virtue of this act, whereby there will remain an excess of one hundred and eighty-eight thousand pounds, above the deposit of ten pounds per centum on the said loans of fourteen millions five hundred thousand pounds, and one million six hundred and twenty thousand pounds: and whereas it is expedient that the said sum of one

one hundred and eighty-eight thousand pounds shall be repaid to such contributors; be it further enacted, That it shall and may be law-ful for the said cashier or cashiers, out of the monies that shall be advanced and paid towards the said sum of fourteen millions five hundred thousand pounds, and one million six hundred and twenty thousand pounds, on or before the twenty-sixth day of May one thousand seven hundred and ninety-seven, on account of the instalments to become due on that day, to repay to the several contributors the said excess of one hundred and eighty-eight thousand pounds, in the like proportions as the same shall have been advanced and paid by the said contributors respectively; which payments shall be allowed in the accounts of the said cashier or cashiers.

As the whole loan is not to be raised, the excess of contributions to be paid out of instalments due May 26, 1797.

C A P. LX.

An act to amend an act, made in the thirty-fourth year of the reign of his present Majesty, intituled, An act for granting to his Majesty certain stamp duties on indentures of clerkships to solicitors and attorneys in any of the courts in England therein mentioned.—[May 25, 1797.]

WHEREAS, by an act of parliament, passed in the thirty-fourth year of the reign of his present Majesty, intituled, An act for granting to his Majesty certain stamp duties on indentures of clerkships to solicitors and attorneys in any of the courts in England therein mentioned; it is enacted, That, within the bills of mortality, from and after the fifth day of February one thousand seven hundred and ninety-four, and in every other part of England and Wales, from and after the tenth day of February one thousand seven hundred and ninety-four, there shall be raised, levied, collected, and paid, unto and for the use of his Majesty, his heirs and successors, for and in respect of every contract in writing made after the said fifth and tenth days of February one thousand seven hundred and ninety-four respectively, whereby any person shall become bound to serve as a clerk, in order to his admission as a solicitor or attorney in any of the courts of law or equity in the said act mentioned, in pursuance of the laws then in force for the better regulation of solicitors and attorneys, divers rates and duties in the said act mentioned, and the indentures or other writings containing such contract, duly stamped according to the directions of the said act, are required to be enrolled or registered with the proper officer to be appointed for that purpose by the court wherein such person shall propose to be afterwards admitted a solicitor or attorney by virtue of the service under such contract, together with an affidavit of the time of the execution of such contract by such clerk; and in case such indenture or other writing shall not be so enrolled or registered within six months next after the execution thereof, together with such affidavit of the time of execution of such contract, then, and in such case, the service of such clerk under such indenture or writing, shall be deemed to commence from the time of such enrolment or registry only, and not from the execution of such indenture or writing: and whereas the said act did not receive the royal assent until

until the twenty-eighth day of March one thousand seven hundred and ninety-four, and several persons were bound by indentures and writings made after the said fifth and tenth days of February respectively, and before the said twenty-eighth day of March, and which indentures and writings are charged with and liable to the said duties imposed by the said act, and no provision is therein made for the payment of the same, or for the enrolment or registry of such indentures and writings respectively: and whereas it is reasonable that some provision should be made for that purpose; therefore be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same,

That any and every such indenture and writing, made after the said fifth and tenth days of February one thousand seven hundred and ninety-four respectively, and before the said twenty-eighth day of March in the same year, whereon any such duty is by the said act required to be paid, shall and may, on payment of the duty thereby required, on or before the first day of August one thousand seven hundred and ninety-seven, be stamped with the proper stamp in that behalf; and the commissioners for the time being appointed to manage the duties on stamped parchment, paper, and vellum, are hereby authorised and required to cause the same to be stamped accordingly.

II. And be it further enacted by the authority aforesaid, That every such indenture and writing shall and may, at any time within two calendar months next after the same shall be so stamped by virtue of this act, be enrolled and registered by the proper officer of the court for that purpose, together with an affidavit of the time of the due execution of such contract, in manner directed by the said act; and such officer of the said courts is hereby required and authorised to enroll and register the same accordingly; and the service of every such clerk shall be deemed and taken to commence according to the due execution of such indenture and writing; the said act or any thing herein contained to the contrary notwithstanding.

III. And whereas several persons who were bound as clerks to attorneyes by such indentures and writings as aforesaid made after the said fifth and tenth days of February respectively, and before the said twenty-eighth day of March one thousand seven hundred and ninety-four, have since procured the said articles to be stamped with the stamp required by the said act to denote the payment of the said duties, and other such persons have been again bound by indentures and writings duly stamped according to the said act; and it is reasonable that some relief should be given to such clerks in respect to the time when their service shall be deemed to commence, therefore, be it enacted by the authority aforesaid, That in every such case where the said duty has, since the passing of the said act, been already duly paid, and such indenture or writing has been already duly stamped, or where such clerk has been again bound by any indenture or writing duly stamped according to the said act, that then and in every such case the service of such clerk shall be deemed and taken to have

When service
of clerks shall
be deemed to
have com-
menced.

have commenced at the time of the execution of such first indenture or writing, and agreeable to the terms thereof, provided the same has been already, or shall be in the time and in manner herein-before mentioned, enrolled and registered, together with an affidavit of the time of the execution thereof; any thing in the said recited act to the contrary notwithstanding.

C A P. LXI.

An act to revive, amend, and continue, for a limited time, an act passed in the present session of parliament, intituled, An act to suspend, for a limited time, the operation of two acts of the fifteenth and seventeenth years of the reign of his present Majesty, for restraining the negociation of promissory notes and inland bills of exchange, under a limited sum, within that part of Great Britain called England.—[May 25, 1797.]

WHÈREAS an act was passed in the present session of parliament, intituled, An act to suspend, for a limited time, the operation of two acts of the fifteenth and seventeenth years of the reign of his present Majesty, for restraining the negociation of promissory notes and inland bills of exchange, under a limited sum, within that part of Great Britain called England: and whereas it was by the said act, amongst other things, enacted, That if any person, liable to the payment of any of such notes, draughts, or undertakings, in writing, as may be issued in pursuance of the said act, should neglect or fail to make full payment, in money, of the sum or sums for which such notes, draughts, or undertakings, in writing, should be respectively given or issued, or so much thereof as should be or remain due thereon respectively, by the space of three days after demand thereof made by the holder or holders of such notes, draughts, or undertakings, in writing; then and in that case the amount of the money due, and costs, should be levied on the goods and chattels of the person liable to pay the same, in manner by the said act prescribed: and whereas it is expedient that the said act should be revived, altered, and continued, and that the said term of three days, therein mentioned, should be extended to seven days; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said recited act shall be, and the same is hereby revived.

II. And it is further enacted, That the said act shall be in force from the first day of this instant May; and that the term allowed for payment of any note, draught, or undertaking, in writing, therein mentioned, shall be seven days; till the expiration of which time no warrant of distress shall be issued under the authority of the said act, so revived and amended as aforesaid.

III. And be it further enacted, That the said act so amended shall have continuance until the eighth day of July one thousand seven hundred and ninety-seven.

IV. And

IV. And be it further enacted, That this act may be altered, varied, or repealed by any act or acts to be passed in this present session of parliament.

C A P. LXII.

An act to revive and continue, for a limited time, and amend an act, passed in the present session of parliament, intituled, An act to allow the banks, and certain banking companies, in that part of Great Britain called Scotland, to issue notes for sums under a certain amount, for a limited time; and for indemnifying all persons who have issued notes for small sums of money in that part of the united kingdom.—[May 25, 1797.]

Preamble.

37 Geo. 3.
c. 40, recited.

WHEREAS, by an act passed in the present session of parliament, intituled, An act to allow the banks, and certain banking companies, in that part of Great Britain called Scotland, to issue notes for sums under a certain amount, for a limited time; and for indemnifying all persons who have issued notes for small sums of money in that part of the united kingdom; it was enacted, That, from and after the passing of the same, it should be lawful to and for the bank of Scotland, the royal bank of Scotland, the British linen company, and all other banks or banking companies in Scotland, who, on or before the first day of January one thousand seven hundred and ninety-seven, had exercised the business of banking, or keeping any bank for receipt of money, and had issued notes under the firm of such bank in the nature of bank notes, (but to and for no other person or persons, company or companies whatsoever), to issue notes, bills, or tickets in the nature of bank notes, payable to the bearer on demand, for any sum whatever under the sum of twenty shillings sterling, in the same way that the said banks and banking companies have heretofore been used to issue notes for twenty shillings and upwards since the first day of June one thousand seven hundred and sixty-five; and it was further enacted, That the said act should continue in force until the fifteenth day of May one thousand seven hundred and ninety-seven, and no longer: and whereas it is expedient to revive and continue the said act for a further time, and to amend the same; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said herein-before recited act, passed in the present session of parliament, shall be, and the same is hereby revived.

Recited act
revived,and continued
till Aug. 15,
1797.The Carron
company may
issue notes,
payable to

II. And it is hereby further enacted, That the said act so revived shall continue and be in force from and after the time thereby limited, until the fifteenth day of August one thousand seven hundred and ninety-seven, and no longer.

III. And be it further enacted, That, from and after the passing of this act, it shall and may be lawful for the Carron company to issue notes, bills, or tickets in the nature of bank notes, payable to

to the bearer on demand, for any sum whatever under twenty shillings sterling, in the same manner as the banks and banking companies mentioned in the said recited act are authorised to issue any notes, bills, or tickets.

IV. And be it further enacted, That this act may be enlarged, altered, varied, or repealed, by any act or acts to be made in this present session of parliament.

C A P. LXIII.

An act for granting to foreign ships put under his Majesty's protection, the privileges of prize ships, under certain regulations and restrictions; and for allowing aliens in foreign colonies surrendered to his Majesty, to exercise the occupations of merchants or factors.—

[May 25, 1797.]

WHEREAS, in consequence of articles of capitulation, whereby Preamble. certain foreign colonies or settlements, or parts thereof, have been or may hereafter be surrendered to his Majesty during the present war, certain foreign ships and vessels may have been put or may be put under his Majesty's protection: and whereas the said ships and vessels, not being taken and condemned as lawful prizes in any court of admiralty, cannot by the laws now in force be registered as prize ships, and be entitled to the privileges and advantages of such ships: and whereas it is just and expedient that ships or vessels which shall have been or may be so put under his Majesty's protection, should be admitted in like manner as prize ships to the privileges and advantages of British ships or vessels, under certain regulations and restrictions; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all foreign ships and vessels which, in consequence of any such capitulation, shall have been or may be so put under his Majesty's protection, at the time of or in consequence of the surrender of any foreign colony or settlement, or part of any foreign colony or settlement, to his Majesty, shall and may be registered in like manner as ships taken and condemned as lawful prizes may, by the laws now in force, be registered, and shall by virtue thereof become entitled to the privileges and advantages of British ships or vessels, under the regulations and restrictions herein-after mentioned: provided always, That no such ship or vessel shall be so registered but upon producing a certificate under the hand and seal of the person who commanded in chief by sea or by land at the time when such foreign colony or settlement, or part of foreign colony or settlement, was surrendered to his Majesty; or in case of the death or departure of any such officer before such certificate shall have been so given, then, upon a like certificate under the hand and seal of the person who shall command in chief by sea or by land at such colony or settlement, or part of such colony or settlement, testifying that such ship or vessel was put under the protection of his Majesty at the time of or in consequence of such surrender.

Anno regni tricesimo septimo GEORGII III. c. 63. [1796.

and upon oath being made and subscribed before the person or persons authorised to make such registry, and grant such certificate of registry respectively (which they are hereby respectively empowered to administer), by the owner of such ship or vessel, if such ship or vessel is owned by or belongs to one person only, or in case there shall be two joint owners, then by both of such joint owners, if both shall be resident within twenty miles of the port or place where such register is required; or by one of such owners, if one or both of them shall be resident at a greater distance from such port or place; or if the number of such owners or proprietors shall exceed two, then by the greater part of the number of such owners or proprietors, if the greater number of them shall be resident within twenty miles of such port or place as aforesaid, not in any case exceeding three of such owners or proprietors, or by one of such owners, if all shall be resident at a greater distance, declaring in the form and manner herein-after directed, that such ship or vessel is wholly owned by natural-born British subjects, or by aliens that have been naturalized or made denizens, or by persons who have become British subjects by virtue of some capitulation or conquest, as aforesaid, and have taken the oath of fidelity and allegiance to his Majesty, in consequence of such capitulation or conquest, or by any or either of the before-mentioned descriptions of persons, and none other:

Where registry provided also, That such registry shall not be made, nor certificate of such registry be granted, for any ship or vessel that has been or may be so put under his Majesty's protection at the *Cape of Good Hope*, or places adjoining thereto, but at the port of the *Cape Town*; nor for any ship or vessel that has been or may be so put under his Majesty's protection in any part of the island of *Ceylon*, or of the parts to the eastward of the island of *Ceylon*, but in the port of *Columbo* in the island of *Ceylon*; nor for any ship or vessel that has been or may be so put under his Majesty's protection in any part of the coast of *Malabar*, but in the port of *Cochin*; nor for any ship or vessel that has been or may be so put under his Majesty's protection in the island of *Trinidad* in the *West Indies*, but in the port of *Scarborough* in the island of *Tobago*; nor for any ship or vessel that has been or may be so put under his Majesty's protection in the settlement of *Demerary* on the continent of *South America*, but in the port of *Scarborough* in the island of *Tobago*; and that the said ports of *Cape Town*, *Columbo*, and *Cochin*, and the said port of *Scarborough*, shall respectively, for the purpose of such registry, be deemed and taken to be the ports to which such ship or vessel belongs.

II. And be it further enacted, That the oath before directed to be taken shall be in the form and manner following:

form.

“ I A. B. of [place of residence and occupation] do make oath,
That the ship or vessel [name] of [port, or place] whereof
[master's name] is at present master, being [kind of built, burthen,
&c. as described in the certificate of the surveying officer] was
[when and where built, or if prize, capture, and condemnation, or if
fit]

*put under his Majesty's protection, when and where]; and that I the said A. B. [and the other owners' names and occupations (if any), and where they respectively reside, videlicet, Town, place, or parish, and county, or if member of and resident in any factory in foreign parts, or in any foreign town or city, being an agent for or partner in any house of trade, or copartnership, actually carrying on trade in Great Britain or Ireland, the name of such factory, foreign town, or city; and the names of such house or copartnership] am [or are] sole owner [or owners] of the said vessel; and that no other person or persons whatever have or hath any right, title, interest, share, or property therein, or thereto; and that I the said A. B. [and the said other owners, if any] am [or are] truly and bona fide a subject [or subjects] of Great Britain; and that I the said A. B. have not [nor have any of the other owners, to the best of my knowledge and belief] taken the oath of allegiance to any foreign state whatever, [except under the terms of some capitulation, describing the particulars thereof] or that since my taking [or his, or their taking] the oath of allegiance to [naming the foreign states respectively to which he or any of the said owners shall have taken the same], and prior to the passing of an act in the twenty-sixth year of the reign of King George the Third, intituled, *An act for the further encrease and encouragement of shipping and navigation*, I have [or he or they hath or have] become a subject [or subjects] of Great Britain, [either by his Majesty's letters patent, as a denizen (or denizens) or naturalized by act of parliament, as the case may be, naming the dates of the letters of denization, or the act or acts of parliament for naturalization respectively]; or [as the case may be] I have [or he or they hath or have] become a denizen [or denizens, or naturalized subject or subjects, as the case may be] of Great Britain, by his Majesty's letters patent, or by an act of parliament, passed since the first day of January one thousand seven hundred and eighty-six, [naming the times when such letters of denization have been granted respectively, or the year or years in which such act or acts of naturalization have passed respectively], or that I A. B. and the other owners, if any, having become British subject or subjects by virtue of a capitulation or conquest [describing the particulars thereof, as to place, state, and parties,] have [or he or they hath or have] taken the oath of fidelity and allegiance to his majesty the King of Great Britain, [describing the times when, the place where, and before whom taken], in consequence of such capitulation; and that no foreigner, directly or indirectly, hath any share, or part, or interest, in the said ship or vessel."*

III. And be it further enacted, That it shall be lawful for any such vessel such ship or vessel, being registered, and having a certificate of registry as aforesaid, and being navigated as British ships are now, and export as may import or may hereafter be required by law to be navigated, to import and export to and from any place or places whatsoever, such goods and merchandizes respectively, and none other, as may be imported and exported by any ship or vessel taken and condemned as lawful prizes; such importations and exportations to be made in like manner, and under and subject to the like duties, conditions,

tions, regulations, and restrictions, and subject to the like penalties and forfeitures for the breach thereof, as if the same were made by any ship or vessel taken and condemned as lawful prize: provided always, That such ships and vessels so put under his Majesty's protection, shall not be allowed to import or export any goods whatsoever to or from any port in Europe not in the possession of his Majesty.

His Majesty may authorise lawful for his Majesty, by and with the advice of his privy council, at any time on the arrival of any such ship or vessel in any port of Great Britain, upon application to him made, and upon consideration of such circumstances as shall satisfy his Majesty of the expediency thereof, to authorise any such ship or vessel (without payment of any duty whatever for the said ship or vessel, or the sails and other necessary tackle, apparel, and furniture thereof), to be registered, and to have a certificate thereof, as in the case of a prize ship, in any port in the kingdom of Great Britain; and such ship or vessel so registered shall, in such case, be entitled to all the privileges and advantages which belong, by law, to ships taken and condemned as lawful prize.

V. And whereas, by an act passed in the twelfth year of the reign of King Charles the Second, intituled, An act for the encouraging and increasing of shipping and navigation, it is enacted, That no alien, or person not born within the allegiance of our sovereign lord the King, his heirs and successors, or naturalized and made a free denizen, shall exercise the trade or occupation of a merchant or factor in any lands, islands, plantations, or territories, to his Majesty belonging, or in his possession, or which might thereafter belong unto or be in the possession of his Majesty, his heirs and successors, in Asia, Africa, or America, upon pain of the forfeiture and loss of all his goods and chattels, or which are in his possession; be it enacted, That every person, although an alien born, and neither naturalized nor made a free denizen, who shall reside in any island or place which has surrendered, or which shall hereafter surrender, to his Majesty, and be in his Majesty's possession, and who shall have taken the oath of fidelity and allegiance to his Majesty, according to the terms of the capitulation under which such island or place shall have surrendered, shall be, and shall from the time of such surrender be deemed to have been, entitled to exercise the trade or occupation of a merchant or factor in any such island or place, during so long time as the same shall remain and be in the possession or under the protection of his Majesty, his heirs or successors; any thing in the said act contained to the contrary notwithstanding; subject, nevertheless, to such laws and regulations as his Majesty's subjects shall and may be liable to in the same islands and places.

VI. Provided always, and be it further enacted, That this act, or any thing herein contained, shall not extend, or be construed to extend, to take away, abridge, vary, or alter, any of the rights or privileges belonging to, and vested in, the united company of merchants of England trading to the East Indies, by any charter, act

12 Car. 2.
c. 18, recited.

Aliens residing in any place surrendered to his Majesty, may act as merchants or factors.

Act not to abridge the rights of the East India company.

1796.] Anno regni tricesimo septimo GEORGII III. c. 64, 65. 261

act of parliament, or otherwise whatsoever, respecting persons resident in, or carrying on, or being concerned in any trade to, from, or in any place or places within the limits of the exclusive trade of the said united company; but all persons resident, and all trade to be carried on within the said limits, under the authority of the said capitulations, or of this act, shall be subject unto all and every the prohibitions, restrictions, regulations, licences, duties, and conditions, in all respects as the residence and trade of any *British* subject is now liable to by law, and shall be subject to the like penalties and forfeitures, and all other matters and things which any *British* subject, and the goods, merchandize, and trade of any *British* subject, would be subject and liable to by law for doing any thing in violation of the rights and privileges of the said united company; any thing herein-before contained to the contrary thereof in anywise notwithstanding.

VII. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the respective governors or lieutenant governors, or officers commanding in chief, of the *Cape of Good Hope*, of the island of *Ceylon*, and of *Cochin* on the coast of *Malabar*, or of the island of *Trinidad* in the *West Indies*, or of the settlement of *Demerary* on the continent of *South America*, to administer the oaths, grant the certificates, and do all and every other matters and things in and about the registering of the said ships, which, under the authority of an act, made in the twenty-sixth year of the reign of his present Majesty, intituled, *An act for the further increase and encouragement of shipping and navigation*, may be done by the governor, lieutenant governor, or commander in chief, and principal officer or officers of his Majesty's revenue of customs, in any of his Majesty's colonies, plantations, islands, or territories in *America*, respecting the registering of ships there; and the said governors or lieutenant governors, or officers commanding in chief at such places respectively, shall appoint such officers under them as they shall think proper, for surveying the ships to be registered, and for doing all other things relating thereto, which, in and by the said act, is to be done by certain officers of the customs therein mentioned.

Governors of
Cape of Good
Hope, &c. may
administer
oaths, grant
certificates of
registry, &c.
agreeably to
26 Geo. 3.
c. 60.

C A P. LXIV.

An act for indemnifying governors, lieutenant governors, and persons acting as such, in the West India islands, who have permitted the importation and exportation of goods and commodities in foreign bottoms.—[May 25, 1797.]

C A P. LXV.

An act for empowering the justices of the peace for the county of Middlesex, at their general or quarter sessions of the peace, to make a fair and equal county rate for the said county.—[May 25, 1797.]

W H E R E A S it is expedient that power and authority should be given to the justices of the peace for the county of Middlesex, in their general or quarter sessions assembled, to make a fair and equal county

county rate, and for that purpose to assess and tax rateably and in equal proportions, according to the annual rent or value of estates, within all and every the parishes, towns, liberties, precincts, villages, hamlets, and places, within the said county, for and towards the same: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, the justices of the peace for the said county of Middlesex, in their general or quarter sessions assembled, shall have full power and authority, and they are hereby required from time to time to assess and tax all and every parish, town, liberty, precinct, village, hamlet, and place, within the said county, rateably and in equal proportions, according to the annual rent or value of estates within such parish, town, liberty, precinct, village, hamlet, and place respectively.

II. And, in order the better to enable the said justices of the peace for the said county of Middlesex, to assess, and tax rateably and in equal proportions, all and every such parishes, towns, liberties, precincts, villages, hamlets, and places, be it further enacted, That at the next general or quarter sessions of the peace to be holden in and for the said county of Middlesex after the passing of this act, the churchwardens and overseers of the poor of the said several parishes, towns, liberties, precincts, villages, hamlets, and places, shall, and they are hereby required, within the two first days of such next sessions, to make a return in writing to the said justices in sessions assembled, which return shall be verified upon oath in open court at the time of delivering in the same, of the total amount of the rental or value of the estates within the parish, town, liberty, precinct, village, hamlet, or place, to which they shall respectively belong, charged or assessed to the poors rate of and in the said parish, town, liberty, precinct, village, hamlet, or place, at the time of making such return; and where the proportionable mode of rating is less than the real rent or value, the same shall be stated and pointed out in writing upon such return, and verified as aforesaid, in order that the said justices may be enabled to discover the real amount of the rental or value of the estates within the said several parishes, towns, liberties, precincts, villages, hamlets, or places.

III. And be it further enacted, That the churchwardens and overseers of the poor of all and every parish, town, liberty, precinct, village, hamlet, or place within the said county, or some or one of them, shall yearly and every year, from and after the passing of this act, within the two first days of the Michaelmas quarter sessions to be holden in and for the said county, make a return to the justices of the peace then and there assembled, of the total amount of the rental or value of estates within the said parish, town, liberty, precinct, village, hamlet, or place, at the time of making the last preceding rate for the relief of the poor, and also shall, when the proportionable mode of rating is less than the real rent or value, state and point out the same in writing

Justices em-powered to make an equal county rate, accord-ing to the annual rent or value of estates in each parish.

Churchwardens and overseers to make a re-turn, upon oath, of amount of the rental of estates in each parish, within a cer-tain time.

The like re-turn upon oath to be made an-nually to the Michaelmas sessions.

ing upon such return; and shall verify every such return upon oath in manner aforesaid.

IV. And be it further enacted, That in case the said churchwardens and overseers of the poor of any of the several parishes, towns, liberties, precincts, villages, hamlets, or places within the said county, shall neglect or make default in making such several returns, so verified as aforesaid, at the next sessions of the peace after the passing of this act, or in making such annual return at the *Michaelmas* quarter sessions, as herein-before directed; that each and every such churchwarden and overseer of the poor shall forfeit and pay such sum and sums of money, not exceeding one hundred pounds, as shall or may be ordered or adjudged by the said justices in their general or quarter sessions assembled, by way of penalty for such neglect or default; and in case any such penalty is not paid, the said justices in such session assembled, may issue their warrant to the high constable of the division where such parish, town, liberty, precinct, village, hamlet, or place shall be situate, directing him to levy such penalty upon the respective goods and chattels of each and every churchwarden and overseer of the poor of the parish, town, liberty, precinct, village, hamlet, or place, so neglecting or making default, in like manner, and with such powers and authorities as the said high constable is by a statute, made in the twelfth year of the reign of his late majesty King George, the Second, intituled, *An act for the more easy assaying, collecting, and levying county rates*, vested with for levying on the churchwardens and overseers of the poor the sum assessed for the county rate.

V. And be it further enacted, That if the said churchwardens and overseers of the poor shall so make default in making such return as aforesaid, to the said *Michaelmas* quarter sessions annually, or if it shall happen that notwithstanding the incurring of a penalty or penalties as aforesaid, for or on account of such neglect or default, a return as aforesaid for any parish, town, liberty, precinct, village, hamlet, or place, shall not be made within the time before limited for the making thereof, it shall and may be lawful to and for the said justices, and they are hereby required, either at the said quarter sessions, or at some subsequent general or quarter sessions to be held for the said county, to rate and assess each and every the parish, town, liberty, precinct, hamlet, or place, the churchwardens and overseers of the poor of which shall so neglect to make default as aforesaid, for and towards the said county rate, according to such estimate of just and fair annual rent or value of the estates within such parish, town, liberty, precinct, village, hamlet, or place, or parishes, townships, liberties, precincts, villages, hamlets, or places respectively, as the said justices shall be able to procure by any other means than the returns which are by this act required to be made as aforesaid; and to order such allowance and compensation to be made to the constables and other persons within the several districts and divisions in the said county, for their expences and trouble in procuring, collecting, and levying the same, as to the said justices

justices shall appear reasonable and proper, and that all such allowances, compensations, and other expences as shall be thereby incurred, shall be by the justices of the peace for the said county of *Middlesex*, in their general or quarter sessions assembled; charged upon the parish, town, liberty, precinct, hamlet, or place, the churchwardens and overseers of the poor of which shall so neglect or make default as aforesaid, in addition to their proportion of the said county rate, and be collected and paid therewith.

**Appeal against
rate by
churchwar-
dens and over-
seers of the
poor.**

VI. Provided always, and be it further enacted, That if the churchwardens and overseers of the poor of any of the said parishes, towns, liberties, precincts, villages, hamlets, or places, within the said county, shall at any time hereafter have reason to believe that such parish, town, liberty, precinct, village, hamlet, or place, is over-rated by any rate to be made in pursuance of this act, such churchwardens and overseers of the poor may appeal to the justices of the peace for the said county, at their next general or general quarter sessions, against such part of the rate only as may affect the parish or place in which they serve such offices; which justices are hereby empowered to hear and finally determine the same, and to give such appellants such relief as in their discretion shall appear fair, just, and equal: provided nevertheless, That upon such appeal, such rate shall not be quashed or destroyed in regard to any other parishes or places affected thereby; any thing in this act, or any law, usage, or custom to the contrary notwithstanding.

**General ap-
peal.**

VII. Provided also, That if any other person or persons shall think himself, herself, or themselves aggrieved by any act, matter, or thing to be done in pursuance of this act, or the powers hereby given, that he, she, or they shall and may appeal to the said justices of the peace of the said county, at their next general or general quarter sessions to be holden next after any such cause of appeal shall arise; which justices are hereby empowered to hear and finally determine the same, and to give such appellants such relief as in their discretion shall appear fair and just.

**Powers and
authorities in
act 12 Geo. 2.
continued,
except where
altered by this
act.**

VIII. And it is hereby enacted and declared, That all the powers and authorities in and by the said act of the twelfth year of the reign of King *George* the Second, and all other existing laws relating to the county rate, shall be and continue in full force and effect, except where altered by this act.

**Expences of
this act to be
paid by trea-
surer out of
county rate.**

IX. And be it further enacted by the authority aforesaid, That the treasurer of the said county of *Middlesex* shall be, and he is hereby authorised and required to pay and discharge the reasonable charges and expences occasioned by the procuring and passing this act, out of the first money belonging to the said county which shall be in his hands; such charges being first examined and allowed by the said justices at their general or quarter sessions.

**Allowance to
constables,
&c.**

X. And be it further enacted, That it shall and may be lawful for the justices of the peace for the said county of *Middlesex*, in their general or quarter sessions assembled, to order such allowance and compensation to be made to the constables and other persons within

within such districts and divisions in the said county, where no rate is or shall be made for the relief of the poor, for their expences and trouble in collecting and levying the said county rate within such districts and divisions, as to the said justices shall appear reasonable and proper; and to charge such allowance and compensation upon such districts and divisions in addition to their proportion of the said county rate.

XI. And be it further enacted, That no action at law shall be brought or commenced, or any proceeding had against any person for any thing done by virtue of this act, until twenty-one days notice thereof shall have been given to or left at the usual place of abode of the person or persons against whom such action or proceeding is intended to be had or brought, thereby setting forth the particular cause of such action or proceeding; or after tender of sufficient amends have been made to the party or parties aggrieved; or after six calendar months next after the fact or cause of such action shall have arisen; and every such action shall be laid and tried in the county of Middlesex, and not elsewhere; and the defendant or defendants in such action shall and may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act; and if the same shall appear to have been so done, or if any such action shall be brought before the expiration of twenty-one days next after notice shall have been given as aforesaid, or after sufficient tender of amends shall have been made to the party or parties aggrieved, or after the time before limited for bringing the same, or shall be brought in any other county or place than as aforesaid, then and in every such case the jury shall find for the defendant or defendants; and upon such verdict, or if the plaintiff or plaintiffs shall be nonsuited, or suffer a discontinuance of his, her, or their action or suit after the defendant or defendants shall have appeared, or if, upon demurrer, judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and shall have such remedy for the same as any defendant or defendants hath or have for costs of suit in any other case by law.

XII. And be it further enacted, That in case of any appeals, Expences of actions, suits, or proceedings at law, as betwixt parish and appeals, &c. parish, or betwixt any person or persons and any parish or parishes, not to be charged to, or any person or persons, respecting any thing done in pursuance or paid out of this act, or any other act or acts relating to the county rate, of, the count the expenses of all such appeals, actions, suits, or proceedings ty rate. at law, shall be borne and paid by such respective parishes and persons, or such of them, and in such proportions, as the said justices upon any appeal in their general or quarter sessions shall award and order the same, or as such courts wherein such actions, suits, or proceedings shall be instituted, shall adjudge and order, and shall not be charged to, or paid out of, the county rate.

XIII. And be it further enacted, That this act shall be ad- Publick act. judged, deemed, and taken to be a publick act, and shall be judicially

judicially taken notice of as such, by all judges, justices, and other persons whomsoever, without specially pleading the same.

C A P. LXVI.

An act for revesting certain lands, tenements and hereditaments, in the county of Kent, in the former proprietors thereof, and for other purposes therein mentioned.—[May 25, 1797.]

C A P. LXVII.

An act to embank and drain the open and unembanked lands and grounds lying between The Dales Head Dyke and the river Witham, in the several townships or hamlets and parishes of Walcot, Timberland—Thorpe, Timberland, Martin, Linwood, and Blankney, all in the county of Lincoln.—[May 25, 1797.]

C A P. LXVIII.

An act for charging the fen lands and low grounds within the second, third, fourth, and fifth districts, in the bounds and precincts of Whittlesey, in the Isle of Ely, and county of Cambridge, with further taxes for discharging the debts incurred by the commissioners for the said districts respectively, under certain acts passed in the twenty-second year of King George the Second, and in the twelfth year of his present Majesty; and for better improving, supporting, and preserving, the drainage of the said lands and grounds.—[May 25, 1797.]

C A P. LXIX.

An act for granting to his Majesty additional duties on the amount of certain duties under the management of the commissioners for the affairs of taxes.—[June 6, 1797.]

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of Great Britain, in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making a permanent addition to the publick revenue, have freely and voluntarily resolved to give and grant unto your Majesty the duties herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That there shall be raised, levied, collected, and paid, unto and for the use of his Majesty, his heirs and successors, upon every assessment which shall have been made, or which shall be made, after the fifth day of April one thousand seven hundred and ninety-seven, under and by virtue of any act or acts of parliament herein-after next mentioned; that is to say, An act passed in the twenty-fourth year of the reign of his present Majesty, intituled, *An act for repealing the several duties on tea, and for granting to his Majesty other duties in lieu thereof; and also several duties on inhabited houses; and upon the importation of cocoa nuts and coffee, and for repealing the inland duties of excise thereon;*

On every assessment made after April 5, 1797, under 24 Geo. 3. sess. 2. c. 38. and 36 Geo. 3. c. 15, 16, and 124, in respect of duties under the management of the commissioners

thereon; one other act passed in the last session of parliament, in- for taxes, an tituled, *An act for granting to his Majesty new duties on certain additional horses not charged with duty by any other act or acts of parliament, and duty of 10l. on mules;* one other act passed in the same session of parliament, the amount intituled, *An act for granting to his Majesty several additional duties to be levied on horses kept for the purpose of riding, or drawing certain carriages, therein mentioned;* and one other act passed in the same session of parliament, intituled, *An act for granting to his Majesty certain duties on dogs;* for or in respect of the several rates and duties thereby granted under the management of the commissioners for the affairs of taxes, an additional rate or duty after the rate of ten pounds for every hundred pounds of the gross amount thereof in such assessment.

II. And be it further enacted, That upon every assessment which shall have been, or which shall be made, after the fifth day of April one thousand seven hundred and ninety-seven, under or by virtue of any act or acts of parliament herein mentioned; that is to say, under or by virtue of one act, passed in the twenty-fourth year of the reign of his present Majesty, intituled, *An act for granting to his Majesty certain duties on horses kept for the purpose of riding, and on horses used in drawing certain carriages, in respect whereof any duty of excise is made payable;* under or by virtue of one other act, passed in the twenty-ninth year of the reign of his present Majesty, intituled, *An act for granting to his Majesty several additional rates and duties upon horses and carriages with four wheels; and for explaining and amending an act, passed in the twenty-fifth year of his present Majesty, as far as relates to certain carriages with two or three wheels therein mentioned,* for or in respect of the several rates and duties on horses kept for the purpose of riding, or for the purpose of drawing any carriage, in the said acts respectively mentioned; and under or by virtue of the said several acts, passed in the last session of parliament, herein-before mentioned, for or in respect of the several rates and duties thereby respectively granted, a further additional rate or duty shall be charged after the rate of ten pounds for every hundred pounds of the gross amount thereof in such assessment.

III. And be it further enacted, That the commissioners authorised or appointed, or who shall be authorised or appointed, to put in execution the several acts relative to the rates or duties under the management of the commissioners for the affairs of taxes, or any of them, on the amount of which the several duties after the rate of ten pounds per centum, and the several further duties after the like rate of ten pounds per centum are hereby imposed, shall be commissioners for executing this present act; and that the several surveyors, inspectors, assessors, and collectors respectively appointed or to be appointed to put in execution the said several acts before mentioned, or any of them, shall be surveyors, inspectors, assessors, and collectors, to put in execution this present act, according to the respective powers and authorities given to them by the said acts, or any of them; and the said commissioners, and other the persons aforesaid, duly qualified to act in the execu-

tion of the said several acts before mentioned, shall and they are hereby respectively empowered and required to do all things necessary for putting this act in execution, with relation to the said duties hereby imposed in the like and in as full and ample a manner as they, or any of them, are or is authorised to put in execution the said acts before mentioned, or any of them, or any matters or things therein respectively contained.

Receivers general appointed to receive the duties assessed under the acts before mentioned, to receive the duties hereby imposed.

IV. And be it further enacted, That the several receivers general appointed, or who shall be appointed, to receive the rates and duties to be assessed and collected under or by virtue of the said acts before-mentioned, shall, without any new commission or commissions to be had, obtained, or given, be receivers general of the said several rates or duties hereby imposed within their respective districts or collections, unless other receivers shall be appointed in pursuance of this act, within such districts or collections respectively, (such receiver and receivers giving such security for duly answering the said duties as the commissioners for the affairs of taxes shall require); and the said receivers general being duly qualified to act in the execution of the said several acts before-mentioned relative to the said former rates or duties, or any of them, shall and they are hereby respectively empowered and required to do all things necessary for putting this act in execution, with relation to the said several rates or duties hereby imposed, in the like and in as full and ample a manner as they, or any of them, are or is authorised to act in the execution of the said former acts relative to the said rates and duties, or any matters or things therein respectively contained.

Treasury may appoint other receivers.

V. Provided always, and be it further enacted, That it shall be lawful for the lords commissioners of his Majesty's treasury, or any three or more of them, for the time being, or the lord high treasury for the time being, to appoint any person or persons other than the receiver or receivers of the said former rates and duties, to be the receiver or receivers of the rates and duties by this act imposed, within or for any county, riding, or division, as the said commissioners or the high treasurer respectively shall think expedient.

Additional duties to be ascertained, &c. as former duties.

VI. And be it further enacted, That the several rates or duties by this act imposed upon the amount of the several former rates and duties herein-before mentioned, shall and may be respectively ascertained, managed, collected, paid, recovered, paid over, and accounted for, under such penalties, forfeitures, and disabilities, and according to such general rules, methods, and directions, by which all the former rates and duties on the amount of which the said rates or duties are by this act imposed, or according to such special rules, methods, and directions, by which such of the former rates and duties upon the amount of which any of the said additional rates or duties may be chargeable by this act, were or might be ascertained, managed, collected, paid, recovered, paid over, and accounted for, except as far as any of the said rules, methods, and directions, are expressly varied by this act, and all and every the powers, authorities, rules, and directions, penalties, forfeitures,

forfeitures, clauses, matters, and things contained in any act or acts of parliament relative to the said former rates and duties, or any part of them now in force, (and not hereby otherwise provided), for the computing, surcharging, recovering, paying, and accounting for, the said rates and duties by any former acts granted, as far as the same are applicable to the additional rates or duties by this act imposed, and not repugnant to the particular directions of this act, shall be in full force, and be duly observed, practised, and put in execution, for computing, surcharging, recovering, paying, and accounting for the several rates and duties by this act granted, as fully and effectually to all intents and purposes, as if the same or the like powers, authorities, rules, directions, penalties, forfeitures, clauses, matters and things, were particularly repeated and re-enacted in the body of this present act.

VII. And be it further enacted That, from and after the said fifth day of April one thousand seven hundred and ninety-seven, the said additional rates and duties hereby imposed, shall commence from and after the fifth day of April one thousand seven hundred and ninety-seven, and shall be paid quarterly in each year, on the four most usual days of payment in the year; (that is to say), On the fifth day of January, the fifth day of April, the fifth day of July, and the tenth day of October, in every year, by even and equal portions, the first payment thereof to be made on the fifth day of July one thousand seven hundred and ninety-seven.

VIII. And whereas the several duties after the rate of ten pounds per centum, granted by an act, passed in the thirty-first year of the reign of his present Majesty, intituled, An act for granting to his Majesty additional duties on the amount of the duties under the management of the commissioners for the affairs of taxes, therein mentioned; and of ten pounds per centum, granted by an act, passed in the thirty-sixth year of the reign of his present Majesty, intituled, An act for granting to his Majesty further additional duties on the amount of the duties under the management of the commissioners for the affairs of taxes, therein mentioned; and of ten pounds per centum, by this act granted, make together the sum of twenty pounds per centum on the amount of all the several rates and duties whereon the respective duties of ten pounds per centum are imposed; be it further enacted, That in assessing and charging Duties under the said respective duties, after the rate of ten pounds per centum recited acts, on the amount of the said former duties, it shall be lawful for and this act, the said respective commissioners, inspectors, surveyors, and assessors, of the said duties, to assess and charge the sum of twenty &c. 31 Geo. 3. c. 5. and 36 Geo. 3. c. 14, recited. pounds per centum upon the amount of all the several rates and duties whereon the respective duties of ten pounds per centum are imposed by the said several acts, and this act, in one sum, and by one assessment and charge, instead of distinct assessments and charges; and to certify and return the same upon such assessments to the respective commissioners authorised to put the said acts in execution, at their respective meetings to be held for returning

Anno regni tricesimo septimo GEORGII III. c. 70. [1796.]
 returning such assessments in all and every the respective counties, shires, stewardries, ridings, divisions, cities, boroughs, cinque ports, towns, and places respectively; which said sum and sums so certified shall be added to the amount of the former assessed rates and duties, and shall be collected, raised, levied, and received, under the rules, regulations, and directions prescribed by the said former acts, subject nevertheless to such proportional increase or abatement in the amount thereof, as shall be necessary in case the said former rates or duties so assessed shall be encreased or diminished by any surcharge thereupon, or appeal therefrom, in pursuance of the said former acts.

Duties to be carried to the consolidated fund.

IX. And be it further enacted, That all the monies arising by the said rates and duties (the necessary charges of raising and accounting for the same excepted), shall, from time to time, be paid into the receipt of his Majesty's exchequer, and shall be carried to and made part of the consolidated fund.

Duties to be applied in defraying anyen. created charge by any loan of this session, and for ten years to be kept with other duties granted for the same purpose, separate from other monies.

X. Provided always, and be it further enacted, That the monies arising or to arise of the duties hereby granted, or so much thereof as shall be sufficient, shall be deemed an addition made to the revenue for the purpose of defraying the encreased charge occasioned by any loan to be raised, or stock created, or to be created, by virtue of any act or acts passed, or to be passed, in this session of parliament; and that the said monies shall, during the space of ten years next ensuing, be paid into the said receipt, distinctly and apart from all other branches of the publick revenue; and that there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book or books, in which all the monies arising from the said duties, and paid into the said receipt, shall, together with the monies arising from any other rates and duties granted in this session of parliament, for the purpose of defraying such increased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatever.

C A P. LXX.

An act for the better prevention and punishment of attempts to seduce persons serving in his Majesty's forces by sea or land, from their duty and allegiance to his Majesty, or to incite them to mutiny or disobedience.—[June 6, 1797.]

Preamble.

WHEREAS divers wicked and evil disposed persons, by the publication of written or printed papers, and by malicious and advised speaking, have of late industriously endeavoured to seduce persons serving in his Majesty's forces by sea and land from their duty and allegiance to his Majesty, and to incite them to mutiny and disobedience: be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, any person who shall maliciously and advisedly endeavour to

Any person who shall attempt to seduce

1796.] Anno regni tricesimo septimo GEORGII III. c. 71. 271
to seduce any person or persons serving in his Majesty's forces, ducany sailor
by sea or land, from his or their duty and allegiance to his Ma- or soldier
jesty, or to incite or stir up any such person or persons to com- from his duty,
mit any act of mutiny, or to make or endeavour to make, any to mutiny,
mutinous assembly, or to commit any traitorous or mutinous &c. to suffer
practise whatsoever, shall, on being legally convicted of such of- death.
fence, be adjudged guilty of felony, and shall suffer death as in
cases of felony without benefit of clergy.

II. Provided always, and be it enacted by the authority afore- Where of-
said, That any offence committed against this act, whether com- fenses may be
mitted on the high seas or within that part of Great Britain called prosecuted.
England, shall and may be prosecuted and tried before any court
of oyer and terminer or gaol delivery for any county in that
part of Great Britain called *England*, in such manner and form
as if the said offence had been therein committed.

III. Provided always, and it is hereby declared and enacted, Persons tried
That any person who shall be tried and acquitted, or convicted for offences
of any offence against this act, shall not be liable to be indicted, against this
prosecuted, or tried again for the same offence or fact, as high act, not to be
treason, or misprision of high treason; and that nothing in this tried again
act contained shall be construed to extend, to prevent any per- for the same as
sons guilty of any offence against this act, and who shall not be high treason,
tried for the same as an offence against this act, from being tried or misprision
for the same as high treason, or misprision of high treason, in son, &c.
such manner as if this act had not been made.

IV. And be it further enacted by the authority aforesaid, Continuance
That this act shall continue and be in force until the expiration of act
of one month after the commencement of the next session of parliament, and no longer.

C A P. LXXI.

An act for more effectually restraining intercourse with the crews of
certain of his Majesty's ships now in a state of mutiny and rebellion,
and for the more effectual suppression of such mutiny and rebellion.
—[June 6, 1797.]

W H E R E A S the crews of certain of his Majesty's ships, notwithstanding the repeated marks of his Majesty's gracious favour and condescension towards them, have persisted, and do still persist, in a most dangerous and criminal mutiny, and in the commission of divers acts of the most heinous and treasonable nature, against the crown and dignity of our sovereign lord the King, and to the manifest danger of the safety of this realm, engaged in war against a foreign enemy: and whereas it is necessary that immediate provision should be made for the suppression and punishment of offences of so high and dangerous a nature, and for deterring all others from being guilty of similar crimes in future: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful for the lord high admiral, The admi-
rality, by or-

der of the King in council, may declare the crew of any ship to be in a state of mutiny and rebellion, and thereby warn all subjects to abstain from intercourse with the crew. Such declaration to be published in the Gazette, &c.

After such publication, no person to communicate with the crew, or assist them.

Persons communicating with such crew, or assisting them, to suffer death.

From such publication, the crew shall forfeit all wages, allowances, prize money, &c.;

and all persons remaining on board after knowledge of such declaration, to be adjudged guilty of piracy and felony.

or commissioners for executing the office of lord high admirals, or any three or more of them, being thereto authorised by order of his Majesty in council, to declare the crew of any of his Majesty's ships who have been guilty of acts of mutiny and rebellion, and who still persist therein, and also the crew of any other of his Majesty's ships who shall be guilty of any of the like offences, to be in a state of mutiny and rebellion, and by such declaration to warn all his Majesty's faithful subjects to abstain from all communication or intercourse with the crews of the said ships; and such declaration shall forthwith be published in the *London Gazette*, and shall also (as soon as the same can conveniently be done) be proclaimed in his Majesty's dock yards.

II. And be it enacted, That, from and after the date of such publication in *The London Gazette*, it shall not be lawful for any of his Majesty's liege subjects, or others residing or being within this realm, to have any communication or intercourse, whether personally or by letter, message, or otherwise, with the crew of any ship so declared to be in a state of mutiny and rebellion, or with any persons or person being part of such crew, or with any person who shall remain on board the said ship, after the day on which such declaration shall have been so published in *The London Gazette* as aforesaid, or in any manner to supply, aid, comfort, or assist the said crew, or any persons or person being part thereof, or any person so remaining on board the said ship.

III. And be it enacted, That any person who, after the date of such publication as aforesaid, shall wilfully and advisedly have any such communication or intercourse with such crew, or with any persons or person being part thereof, or with any person so remaining on board any such ship as aforesaid, or in any manner supply, aid, comfort, or assist such crew, or any persons or person being part thereof, or any persons or person so remaining on board the said ship, shall, on conviction thereof, be adjudged guilty of felony, and shall suffer death, as in cases of felony without benefit of clergy.

IV. And be it further enacted, That, from and after the date of such publication as aforesaid, all wages and other allowances payable to the said crew, or any of them, shall cease and determine, and be no longer payable, and they shall respectively from thenceforth forfeit and lose all wages and other allowances, and all shares of prizes then due to them respectively, and all benefits or advantages to which they might otherwise be entitled from Greenwich hospital or the chest at Chatham, and all other benefits and advantages whatsoever, to which they might be otherwise entitled in consequence of their having served as seamen or marines on board any of his Majesty's ships; and that all persons voluntarily remaining on board any of the said ships, after having had knowledge of such declaration, shall be adjudged guilty of piracy and felony, and shall suffer such pains of death and loss of lands, goods, and chattels, as any pirates or felons by virtue of an act, made in the eleventh year of King William the Third, intituled,

intituled, *An act for the more effectual suppression of piracy*, or any other act, ought to suffer.

V. Provided always, That nothing in this act shall be construed to extend to such communication or intercourse as may be carried on with the said crews, or any persons remaining on board the said ships as aforesaid, by the lord high admiral, or the commissioners for executing the office of lord high admiral, or any three or more of them, or by their order or authority, or by the order or authority of such persons or person, as may be authorised by them to grant permission or to give directions in that behalf.

VI. Provided always, and be it further enacted, That it shall be lawful for the lord high admiral, or commissioners for executing the office of lord high admiral, or any three or more of them; in such manner as his Majesty shall authorise and require, to accept the submission of the crew of any ship which shall have been so declared to be in a state of mutiny and rebellion, or of any person or persons, part of such crew, or of any person or persons on board of any of such ships, or to declare any such person or persons to have returned to their duty, and thereupon to declare the persons or person whose submission shall be so accepted, or who shall be so declared to have returned to their duty, to be exempted and relieved from all or any of the penalties and forfeitures in this act contained, in such manner, and under such terms and restrictions as his Majesty shall think fit; and from and after such declaration, nothing in this act contained shall extend to prevent any such intercourse or communication as aforesaid, with any persons or person to whom such declaration shall apply.

VII. Provided always, and be it enacted by the authority aforesaid, That any offence committed against this act, whether committed on the high seas or within that part of Great Britain called England, shall and may be prosecuted and tried before any court of oyer and terminer or gaol delivery for any county in that part of Great Britain called England, in such manner and form as if the said offence had been therein committed.

VIII. Provided always, and it is hereby declared and enacted, That any person who shall be tried and acquitted, or convicted of any offence against this act, shall not be liable to be indicted, prosecuted, or tried again for the same offence or fact, as high treason, or misprision of high treason; and that nothing in this act contained shall be construed to extend, to prevent any person guilty of any offence against this act, and who shall not be tried for the same as an offence against this act, from being tried for the same as high treason, or misprision of high treason, in son, &c. such manner as if this act had not been made.

IX. And be it enacted, That this act shall be in force until the expiration of one month after the commencement of the next session of parliament, and no longer.

X. Provided also, and be it further enacted, That it shall be lawful to amend or alter this act, or any part thereof, during the present session of parliament.

C A P. LXXII.

An act for prohibiting the importation of cambricks and French lawns into this kingdom, not being of the manufacture of Ireland, except for the purpose of being warehoused for exportation. — [June 6, 1797.]

Preamble.

27 Geo. 3. c.
x3. and

WHEREAS by an act, passed in the twenty-seventh year of the reign of his present Majesty, intituled, An act for repealing the several duties of customs and excise, and granting other duties in lieu thereof, and for applying the said duties, together with the other duties composing the publick revenue; for permitting the importation of certain goods, wares, and merchandize, the produce or manufacture of the European dominions of the French king, into this kingdom; and for applying certain unclaimed monies, remaining in the exchequer for the payment of annuities on lives, to the reduction of the national debt; among other things the importation of cambricks and lawns was allowed directly from France, or any of the European dominions of the French king, under certain regulations and restrictions, and on payment of certain duties, as set forth and described in table C. annexed to the said recited act: and whereas among other things it is enacted by the said recited act, That all cambricks or French lawns, legally imported, shall and may be worn, used, or consumed in Great Britain, or sold or exposed to sale therein, and shall not be subject to seizure or forfeiture on account of such importation, nor shall the person or persons who shall import, wear, use, or consume the same, or who shall sell or expose to sale the same, or have the same in his, her, or their custody or possession, be liable to any penalty or penalties, fine or fines whatever, for wearing, using, consuming, selling, or exposing to sale the same: and whereas the importation of cambricks and French lawns was allowed by the said recited act, and the duty was charged, and such cambricks and French lawns were permitted to be worn, used, and consumed, and to be sold or exposed to sale, in consequence of a treaty of navigation and commerce concluded between his Britannick Majesty and the French king, the operation of which treaty is now at an end; and it is therefore expedient that so much of the said recited act as permits the importation of cambricks and French lawns, on payment of duty, to be worn, used, or consumed, and to be sold, or exposed to sale in this kingdom, should be repealed; and it is also expedient, that so much of an act, passed in the thirty-fourth year of his present Majesty's reign, intituled, An act for repealing so much of an act, passed in the seventh year of the reign of his present Majesty, as directs, that no cambrick or lawn shall be imported from Ireland until the importation of cambricks and French lawns into Ireland shall be prohibited by law; to allow the importation of cambricks and French lawns from the Austrian Netherlands for a limited time; for making more effectual an act, made in the twenty-fourth year of the reign of his present Majesty, for the more effectual prevention of smuggling in this kingdom; and for preventing the fraudulent relanding

34 Geo. 3. c.
50, recited.

relanding of tobacco shipped for exportation, as permits or allows any cambricks or French lawns which shall have been imported and warehoused for exportation, to be delivered from the warehouse or warehouses in which the same shall have been deposited, on payment of such duty for the same as cambricks and French lawns are by the said recited act made subject and liable to, should in like manner be repealed; and that no cambrick or lawn whatever, other than of the manufacture of Ireland, should, during the continuance of this act, be permitted to be imported, except to be warehoused in this kingdom for exportation therefrom, according to the laws now in force: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That so much of the said recited acts, or so much of any other act or acts of parliament, as permits or allows the importation of cambricks or French lawns, other than to be lodged in a warehouse according to law, in order to be again exported from thence, or the taking of any such cambricks and lawns out of any warehouse or warehouses on payment of duty, to be worn, used, and consumed, or to be sold or exposed to sale in this kingdom, shall be, and the same is and are hereby repealed; and that all penalties and forfeitures relating to the importation, wearing, using, and consuming such cambricks and lawns, and to the selling or exposing the same to sale in this kingdom, shall, from and after the passing of this act, be in full force, in like manner as if the said recited acts, allowing such pealed cambricks and lawns to be imported, and to be used, worn, and consumed, and to be sold or exposed to sale in this kingdom, had not been made: provided always, That nothing in this act contained shall extend, or be construed to extend, to prohibit or prevent the importation into this kingdom of cambricks or lawns of the manufacture of Ireland.

II. And it is hereby further enacted by the authority aforesaid, That all cambricks and lawns of the manufacture of Ire-^{land, which, from and after the first day of June one thousand} 1797, Irish cambricks and lawns after entry at the custom house, and before the same shall be discharged by the custom house officers, and delivered into the custody of the importer or his agent, be marked, stamped, or sealed in such manner, and with such mark or stamp, or seal, and by such officer or officers, as the commissioners of his Majesty's customs in England, or any four or more of them, for the time being, or the commissioners of his Majesty's customs in Scotland, or any three or more of them, for the time being, shall respectively direct or appoint for that purpose.

III. And it is hereby further enacted by the authority aforesaid, That if any person or persons, having in his, her, or their custody or possession, in any part of this kingdom for sale, any such cambricks or lawns so directed to be marked, stamped, or sealed as aforesaid, or any other cambricks or French lawns, till Aug¹, 1797, have

them so marked, shall, on or before the first day of *August* one thousand seven hundred and ninety-seven, bring or cause such cambricks or lawns to be brought to the custom house for the port nearest to having been the place where such cambricks and lawns shall be, and shall legally import, make proof on oath before the collector and comptroller, or other principal officer of the customs at such port (which oath such collector and comptroller, or other principal officer is and are hereby required to administer without fee or reward) that the said cambricks and lawns were lawfully imported, and for such as are liable to the payment of duties, that the legal duties due and payable to his Majesty, were paid upon the importation of such cambricks and lawns, if the same were imported by him, her, or them, or that such cambricks or lawns was or were purchased by such person or persons (having possession thereof) in a legal fair way of trade, and that he, she, or they verily believe the legal duties due and payable to his Majesty have been duly paid for the same, mentioning the time when and the port where such cambricks and lawns were imported, or the time when and of whom such cambricks and lawns were purchased (as the case may be), and such cambricks and lawns shall be thereupon, without fee or reward, marked, stamped, or sealed, in such manner, and with such mark, stamp, or seal, and by such officer or officers, as the said commissioners of the customs in *England* and *Scotland* respectively, shall direct and appoint for that purpose.

IV. And be it further enacted by the authority aforesaid, That, from and after the said first day of *August* one thousand seven hundred and ninety-seven, in case any cambricks, or *Irish* or *French* lawns, shall be found in any shop, warehouse, or other place whatsoever upon land, within this kingdom, not being in a warehouse wherein the same shall have been deposited according to law in order to be again exported, and shall not be marked, stamped, or sealed as herein is directed, the same shall be forfeited and lost, and shall and may be seized by any officer or officers of the customs, and shall and may be prosecuted, recovered, and disposed of in the same manner, and by the same rules and regulations as cambricks and *French* lawns clandestinely imported and run into this kingdom, may be prosecuted, recovered, and disposed of by any law now in force: provided always, That if it shall be found impracticable or inconvenient in any case to bring such cambricks or lawns to the custom house to be marked, stamped, or sealed as herein directed, it shall and may be lawful for the said commissioners of his Majesty's customs in *England* and *Scotland* respectively, to authorise and direct their officers to mark, stamp, or seal such goods in such other place or places as they shall think fit, on all the regulations and restrictions of this act being fully complied with.

Commissioners of customs may direct lawns to be marked in any place.

Penalty for counterfeiting marks, &c.

V. And be it further enacted by the authority aforesaid, That if any person or persons shall at any time forge or counterfeit any mark, stamp, or seal, to resemble any mark, stamp, or seal which shall be provided or used in pursuance of this act, or shall forge or counterfeit the impression of any such mark, stamp, or seal

seal upon any goods required by this act to be marked, stamped, or sealed, or shall sell, or expose to sale, or have in his, her, or their custody or possession, any such cambricks or lawns with a counterfeit mark, stamp, or seal thereon, knowing the same to be counterfeited, all and every such offender and offenders, and his, her, and their aiders, abettors, and assistants, shall, for every such offence, forfeit the sum of one hundred pounds, one moiety to his Majesty, and the other moiety to such officer or officers of the customs as shall sue and prosecute for the same, and such offender and offenders shall also be adjudged to suffer one year's imprisonment.

VI. And be it further enacted by the authority aforesaid, That all cambricks and French lawns which have been or shall be seized and condemned, shall be sold and disposed of for exportation only, under and subject to the several and respective rules, regulations, restrictions, penalties, and forfeitures by the laws in force on and immediately before the passing of the said recited act in the twenty-seventh year of the reign of his present Majesty.

VII. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said commissioners of his Majesty's customs, to cause all cambricks and lawns which have been or may hereafter be seized and condemned at any other port than the port of London, to be brought to and publickly sold in the said port of London.

Cambricks and French lawns seized, to be sold for exportation only.

VIII. And be it further enacted by the authority aforesaid, That no cambricks or French lawns, whether the same shall have been imported and warehoused for exportation, or shall have been seized and condemned for any cause of forfeiture, shall be exported from, or entered for exportation at any other port than the port of London, or in any ship or vessel which shall not be of the burthen of one hundred tons or upwards.

Commissioners of customs may cause lawns, seized at other ports, to be sold in London.

IX. And be it further enacted by the authority aforesaid, That all fines, penalties, and forfeitures imposed by this act, shall and may be sued for, levied, and recovered by such ways, means, or methods as any fine, penalty, or forfeiture is or may be recovered by any law or laws of customs, or by any action of debt, bill, plaint, or information in any of his Majesty's courts of record at Westminster, or in the court of exchequer in Scotland; and that one moiety of every such fine, penalty, and forfeiture shall be to the use of his Majesty, his heirs and successors, and the other moiety to him or them who shall inform, sue for, or discover the same.

No cambricks or French lawns to be exported but from London, and in vessels of 100 tons or upwards.

Recovery and application of fines.

X. And it is hereby further enacted by the authority aforesaid, That if any person or persons shall at any time or times be sued or prosecuted for any thing by him or them done or executed in pursuance of or by colour of this act, or of any matter or thing in this act contained, such action or prosecution shall be commenced within the space of three months after the offence shall be committed; and such person or persons shall and may plead the general issue, and give this act, and the special matter in evidence for his and their defence, and that the same was done

Limitation of actions.

General issue.

Anno regni tricesimo septimo GEORGII III. c. 73. [1796.]

in pursuance and by the authority of this act; and if it shall appear so to have been done, then the jury shall find for the defendant or defendants; and if the plaintiff shall be nonsuited, or discontinue his action after the defendant or defendants have appeared, or if judgement shall be given upon any verdict or demurrer against the plaintiff, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same as the defendant or defendants hath or have in other cases by law.

Treble costs.

Act not to extend to cambricks or French lawns imported and warehoused by the licence of the customs, before Sept. 1, 1797.

No such licence to be granted but on proof that the cambricks and French lawns were ordered before May 1, 1797.

Continuance of act.

XI. Provided always, That nothing in this act contained shall extend to hinder or prevent, or be construed to extend to hinder or prevent, the entry for home consumption of any cambricks or French lawns which have been imported and warehoused, or may be imported by licence from the commissioners of the customs to be warehoused, on or before the said first day of September one thousand seven hundred and ninety-seven, and such cambricks and French lawns shall be subject and liable to all the rules, regulations, restrictions, penalties, and forfeitures of this act.

XII. Provided nevertheless, and it is hereby declared, That no cambricks or French lawns which shall be imported (under licence) after the passing of this act shall be admitted to entry for home consumption, unless proof be first made, to the satisfaction of the commissioners of the customs, that the importer or proprietor of such cambricks and French lawns was actually and bona fide under contract for such cambricks and French lawns, or had given orders and directions for the supply thereof before the first day of May one thousand seven hundred and ninety-seven.

XIII. And be it further enacted by the authority aforesaid, That this act shall continue and be in force until thirty days after the commencement of the next session of parliament, and no longer.

C A P. LXXIII.

An act for preventing the desertion of seamen from British merchant ships trading to his Majesty's colonies and plantations in the West Indies.—[June 6, 1797.]

Preamble.

WHÈREAS seamen and mariners, after entering into articles to serve on board British merchant ships, during the voyages from Great Britain to his Majesty's colonies and plantations in the West Indies, and back to Great Britain, do frequently desert from such ships on their arrival at or in such colonies and plantations, on account of the exorbitant wages given by masters and commanders of other British merchant ships, by the run or gross, to seamen and mariners, when in such colonies or plantations, to induce them to enter on board their ships: and whereas such seamen and mariners, upon entering into articles for such voyages from Great Britain, usually receive large sums of money in advance, for the purpose of their outfit; and monthly allowances are frequently paid to their families, towards their support and maintenance, during the absence of such seamen and mariners: and whereas such desertions have been the means of depriving many

many merchant ships of a sufficient number of seamen and mariners to navigate them back to Great Britain, and thereby occasioned great losses to the merchants trading to the said colonies and plantations: for remedy whereof, may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the first day of July one thousand seven hundred and ninety-seven, all and every seaman, mariner, and other person who shall desert, at any time during the voyage, either out or home, from any British merchant ship trading to or from the said colonies or plantations, shall, over and above all punishments, penalties, and forfeitures, to which he is now by law subject, forfeit all the wages he may have agreed for with, or be entitled to during the voyage from the master or owner of the ship on board of which he shall enter, immediately after such desertion.

II. And be it further enacted, That all and every master or commander of any British merchant ship who shall, from and after the said first day of July one thousand seven hundred and ninety-seven, hire or engage to serve on board his ship or vessel, any seaman, mariner, or other person who shall, to the knowledge of such master, have deserted from any other ship or vessel, shall forfeit and pay the sum of one hundred pounds, to be recovered, levied, and applied, as herein-after directed.

III. And be it further enacted, That no master or commander of any merchant ship or vessel which shall, from and after the first day of July one thousand seven hundred and ninety-seven, sail or proceed from any port or place in Great Britain, shall hire or engage, or cause or procure to be hired or engaged, any seaman, mariner, or other person, at any port or place within his Majesty's colonies or plantations in the West Indies, to serve on board any such merchant ship or vessel at or for greater or more wages or hire for such service than according to the rate of double monthly wages, contracted for with the seamen, mariners, and other persons, hired or engaged to serve on board such ship or vessel at the time of her then last departure from Great Britain, being in the same degree and station in which such seaman, mariner, or other person, shall be so hired or engaged at any such port or place as aforesaid, unless the governor, chief magistrate, collector, or comptroller of such port or place in the said colonies or plantations shall think that greater or more wages or hire than double the monthly wages aforesaid should or ought to be given to such seaman, mariner, or other person as aforesaid, and do and shall accordingly authorise or direct the same to be given by writing under his hand; that then and in such case the master or commander of such ship or vessel shall and may be at liberty to pay, and the seaman, mariner, or other person on board such ship or vessel to receive, such greater or higher wages as such governor, chief magistrate, collector, or comptroller, shall direct, as aforesaid; and that all contracts, bonds, bills, notes, and other securities, Contracts contrary to this act void, an

From July 1, 1797, seamen deserting from merchant ships to or from the West Indies, to forfeit their wages.

No master failing from Great Britain after July 1, 1797, to hire seamen in the West Indies at more than double wages, unless authorised by the governor, &c.

persons entering into them, promises, and undertakings, which shall be made, entered into, or given, contrary to the intent and meaning of this act, shall be null and void to all intents and purposes; and that the master or commander of any such merchant ship or vessel, or other person or persons whomsoever, who shall make, enter into, or give, or cause or procure to be made, entered into, or given, any such contract, bond, bill, note, or other security, promise, or undertaking, or who shall hire or engage, or cause or procure to be hired or engaged, any seaman, mariner, or other person, to enter on board any ship or vessel contrary to the intent and meaning of this act, or who shall pay, or cause or procure to be paid or given, any greater or more hire or wages, or other gratuity or advantage whatsoever, to or for any seaman, mariner, or other person so hired or engaged at any such port or place within his Majesty's colonies or plantations in the *West Indies* as aforesaid, than is allowed or directed by this act, shall, for every such offence, forfeit and pay the sum of one hundred pounds; to be recovered, levied, and applied, in the manner herein-after directed.

Every ship trading to the West Indies, to have an apprentice under 17 years old, for every 100 tons burthen, &c.

IV. And be it further enacted, That all and every master and masters of any merchant ship or merchant ships trading to his Majesty's colonies and plantations in the *West Indies*, shall have on board his or their ship or ships, at the time of such ship or ships clearing out from *Great Britain*, one apprentice, who shall be under the age of seventeen years, duly indentured for three years, for every one hundred tons admeasurement of such ship or ships, and so in proportion for every one hundred tons which such ship or ships shall admeasure, according to the certificate of registry, and the indenture or indentures of every such apprentice shall be duly enrolled at the custom house of the port from whence any such ship shall clear out, with the collector or comptroller, within one month after the date or execution thereof; which said apprentice and apprentices shall be, and is and are hereby exempt from serving in his Majesty's navy for the space of three years from the date of such indenture or indentures; and all and every owner or owners, or master and masters neglecting to enroll the same as aforesaid, shall, for every such offence, forfeit and pay the sum of ten pounds, to be paid in manner following; (that is to say), One moiety by the owner or owners of such ship or ships, and the other moiety by the master or masters thereof, to be levied, recovered, and applied, in manner herein-after mentioned.

Masters of such ships out and home, within ten days after arrival, to deliver lists containing certain particulars, on penalty of 50l.

V. And be it further enacted, That all and every master and masters of such ship or ships shall, within ten days after their arrival out at any port or ports in the said colonies or plantations, and also within ten days after their arrival home at any port or ports in *Great Britain*, deliver, upon oath, to be made before the collector or comptroller of such port or ports respectively, (who is hereby authorised to administer the same), a true and exact list and description of all and every the crew on board such ship or ships at the time of their clearing out from any port or ports in *Great Britain*, and also of the crew on board the same at the time of their arrival in any port or ports in the said colonies or plantations,

Apprentices exempt from serving in the navy for three years. Penalty of 50l. for not enrolling them.

tions, and also a true and exact list and description of all and every seaman, mariner, or other person who has or have deserted from such ship or ships, or who has or have died during the voyage; and also a true account of the wages due to each seaman, mariner, or other person so dying, at the time of his death, and all and every master and masters omitting, neglecting, or refusing so to do, shall, for every such offence, forfeit the sum of fifty pounds; and for which said list and account so delivered, such collector or comptroller shall be entitled to demand and receive, from the person so delivering the same, the fee of two shillings and sixpence, and no more; and it shall and may be lawful to and for all and every master and masters of any ship or ships, or other person or persons, to inspect such list and lists, from time to time, as he or they may think proper; for which inspection the said collector or comptroller shall be entitled to demand and receive from the person making the same, the sum of one shilling, and no more.

Collector, &c.
entitled to
2s. 6d. on de-
livery of lists,
which may be
inspected on
payment of 1s.

VI. And be it further enacted by the authority aforesaid, That no seaman, mariner, or other person, who shall, at any port or place within his Majesty's colonies or plantations in the West Indies, hire or engage himself to serve, or who shall in the said colonies or plantations enter on board any merchant ship or vessel which shall sail from Great Britain after the first day of July one thousand seven hundred and ninety-seven, shall be entitled to, nor shall he sue for, recover, or receive, any greater or more wages or hire, or other gratuity or advantage whatsoever, on account of or for such his service, than such wages or hire as herein-before authorised or directed to be paid or received.

No seaman
entering on
board any
vessel in the
West Indies,
which sailed
from England
after July 1,
1797, to be
entitled to
greater wages
than herein
authorised.

VII. And be it further enacted, That all and every sum and sums of money which shall be due for wages to any seaman, mariner, or other person hired or engaged on board any British merchant ship for any voyage from any port or ports in Great Britain to any port or ports in the said colonies or plantations, and who has or have died on board during the voyage, shall, within three calendar months after the arrival of such merchant ship in any port or ports in Great Britain, be paid to the receiver of the sixpenny duty for Greenwich hospital for the time being, to the use of the executor or executors, administrator or administrators, of the seaman, mariner, or other person so dying; and if any master of any such merchant ship shall neglect or refuse to pay over, or tender to the said receiver, all and every such sum and sums of money within the time herein-before limited, he shall forfeit and pay, for every such offence, the sum of fifty pounds, and also double the amount of the sum or sums of money so due to any seaman, mariner, or other person, for wages, as aforesaid.

Wages of dead
men to be paid
to the receiver
of the 6d. duty
for Greenwich
hospital, on
penalty of 50.
and double the
wages.

VIII. Provided always, and be it further enacted, That all and every such sum and sums of money which shall not be lawfully demanded of the said receiver within the term of three years after payment thereof to him in manner aforesaid, shall be forfeited, and shall go and be paid to the use of the seamen's hospital of

such wages if
not demanded
of the receiver
in three years.

of the port to which such ship belongs; but in case there shall be no seamen's hospital at the port to which such ship belongs, then to and for the use and benefit of the old and disabled seamen of the same port, and their families, to be distributed at the discretion of the magistrates for the county where such port shall be situate, or any two or more of them.

Disposition of penalties.

IX. And be it further enacted by the authority aforesaid, That the penalties and forfeitures given by this act shall be paid and applied in manner following; that is to say, One third part thereof for and towards the support of Greenwich hospital, one other third part thereof for and towards the support of the seamen's hospital at the port to which the ship or vessel in respect of which the forfeiture shall arise belongs; but in case there shall be no seamen's hospital at the port to which such ship or vessel belongs, then to and for the use and benefit of the old and disabled seamen of the same port and their families, to be distributed at the discretion of the persons having the direction of the merchants seamen's fund at such port, or in case there shall be no such establishment there, by the magistrates or overseer of the poor of such port; and the other third part thereof to and for the person or persons who shall inform and sue for the same; and that such penalty shall be recovered by bill, plaint, or information, in any of his Majesty's courts of record at Westminster, or such of them as do not exceed the sum of twenty pounds, upon information, on the oath of one or more witnesses, before any one or more of his Majesty's justice or justices of the peace in any part of the kingdom of Great Britain, who shall not reside more than ten miles from the place of abode of the person or persons complained of, which justice and justices is and are hereby authorised and required to issue out his or their warrant or warrants, to bring before him or them every person charged with any offence under this act; and in case he or they shall refuse or neglect to pay such penalties or forfeitures as aforesaid, to issue his or their warrant or warrants to levy the same by distress and sale of the offender's goods, and in case no distress can be found, to commit the offender or offenders to the common gaol of the city, town, or place, within the jurisdiction of such respective justice or justices, there to remain for the space of three calendar months, or until he or they shall pay the same.

Act not to extend to seamen producing certificates of discharge.

X. Provided nevertheless, and be it enacted, That nothing in this act shall extend, or be construed to extend, to any contract or agreement which shall or may be made with any seaman, mariner, or other person hired or engaged to serve on board any merchant ship or vessel, at any port or place within his Majesty's colonies or plantations in the West Indies, who shall, at the time of such hiring or engagement, produce and deliver to the master and commander of such merchant ship or vessel a certificate, under the hand of the master or commander of the ship or vessel on board of which such seaman, mariner, or other person had then last served, signed in the presence of one or more witnesses, stating their usual place or places of abode, thereby declaring

claring or certifying that such seaman, mariner, or other person, had been duly discharged from the ship or vessel on board of which he had so last served ; and which certificate the said master or commander shall grant within three days next after application made to him by such seaman, mariner, or other person, before a witness, or in default thereof shall forfeit and pay the sum of twenty pounds, to be levied, recovered, and applied, in manner herein-before directed ; nor to any contract or agreement to be made with any seaman, mariner, or other person hired or engaged to serve on board any merchant ship or vessel, which through necessity, or on account of very hazardous service or extraordinary duty, require such contract or agreement to be made, and more wages or hire given, and of which necessity, service, or extraordinary duty, proof shall be made on oath before the chief magistrate or principal officer of any port or place, or before any justice or justices of the peace of the said colonies or plantations ; and provided also that such seaman, mariner, or other person so hired or engaged to serve on board any ship or vessel, so requiring such service, shall not have deserted from the ship or vessel on board of which he had then last served ; and provided also, That no greater or higher wages or hire shall be given by any master or commander, or taken or received by any seaman, mariner, or other person as aforesaid, except in cases of such necessity, very hazardous service, or extraordinary duty, as aforesaid, than after the rate of double the monthly wages, or the wages to be settled or directed by any governor, chief magistrate, collector, or comptroller, as herein-before directed to be paid or received as aforesaid.

XI. And be it further enacted by the authority aforesaid, That from and after the said first day of July one thousand seven hundred and ninety-seven, the articles to be entered into by and between the masters, seamen, and mariners, of such merchant ship or ships, shall be agreeable and to the purport and effect as mentioned in the schedule hereto annexed, marked with the letter A.

XII. And be it further enacted by the authority aforesaid, That this act shall be deemed and taken to be a publick act ; and all judges and justices are hereby required to take notice of it as such, without specially pleading the same.

The SCHEDULE, to which this act refers.

A.

IT is hereby agreed between the master, seamen, and mariners, of the ship now bound for the port of and the master or commander of the said ship, That in consideration of the monthly or other wages against each respective seaman or mariner's name hereunto set, they severally shall and will perform the above-mentioned voyage ; and the said master doth hereby agree with and hire the said seamen and mariners for the said voyage at such monthly wages, to be paid pursuant to the laws of Great Britain ; and they the said seamen and mariners

Masters to grant such certificates on penalty of ad-

Act not to extend to seamen hired through necessity, &c.

After July 1,
1797, articles
to be entered
into agreeable
to annexed
schedule.

Publick act.

mariners do hereby promise and oblige themselves to do their duty, and obey the lawful commands of their officers on board the said ship or boats thereunto belonging, as become good and faithful seamen and mariners, and at all places where the said ship shall put in or anchor during the said ship's voyage, to do their best endeavours for the preservation of the said ship and cargo, and not to neglect or refuse doing their duty by day or night; nor shall go out of the said ship on board any other vessel, or be on shore under any pretence whatsoever, till the voyage is ended and the ship discharged of her cargo, without leave first obtained of the master, captain, or commanding officer on board; and in default thereof they freely agree to be liable to the penalties mentioned in the act of parliament, made in the second year of the reign of King George the Second, intituled, *An act for the better regulation and government of seamen in the merchants service*; and the act, made in the thirty-seventh year of his present Majesty's reign, intituled, *An act for preventing the desertion of seamen from British merchant ships trading to his Majesty's colonies and plantations in the West Indies*: and it is further agreed by the parties to these presents, That twenty-four hours absence without leave shall be deemed a total desertion, and render such seamen and mariners liable to the forfeitures and penalties contained in the acts above recited; that each and every lawful command which the said master shall think necessary to issue for the effectual government of the said vessel, suppressing immorality and vice of all kinds, be strictly complied with, under the penalty of the person or persons disobeying, forfeiting his or their whole wages or hire, together with every thing belonging to him or them on board the said vessel: and it is further agreed, That no officer or seaman, or person belonging to the said ship, shall demand or be entitled to his wages, or any part thereof, until the arrival of the said ship at the above-mentioned port of discharge, and her cargo delivered, nor less than twenty days in case the seaman is not employed in the delivery: and it is hereby further agreed between the master and officers of the said ship, That whatever apparel, furniture, and stores, each of them may receive into their charge, belonging to the said ship, shall be accounted for on her return; and in case any thing shall be lost or damaged through their carelessness or insufficiency, it shall be made good by such officer or seaman by whose means it may happen to the master and owner of the said ship: and whereas it is customary for the officers and seamen on the ship's return home in the river, and during the time their cargoes are delivering, to go on shore each night to sleep, greatly to the prejudice of such ship and freighters; be it further agreed by the said parties, That neither officer nor seaman shall, on any pretence whatsoever, be entitled to such indulgence, but shall do their duty by day in discharge of the cargo, and keep such watch by night as the master or commander of the said ship shall think necessary, in order for the preservation of the above: and whereas it often happens that part of the cargo is embezzled after being delivered into lighters, and as such losses are

are made good by the owners of the ships; be it therefore agreed by these presents, That whatever officer or seaman the master shall think proper to appoint, shall take charge of the cargo in the lighters, and go with the same to the lawful quay, and there deliver his charge to the ship's husband, or his representative, or see the same safely weighed at the King's beam, and in consequence of their true fidelity, such officer or seaman shall be entitled to two shillings and sixpence each lighter, exclusive of their monthly pay; and should it so happen that lighters are detained a considerable time at the quay before they can be unloaded, such officer and seaman so appointed shall in that case be entitled to two shillings and sixpence for every twenty-four hours, exclusive of their said monthly pay; that each seaman and mariner who shall well and truly perform the above-mentioned voyage (provided always that there be no plunderage, embezzlement, or other unlawful acts committed on the said vessel's cargo or stores) shall be entitled to their wages or hire that may become due to him, pursuant to this agreement; that for the due performance of each and every the above-mentioned articles and agreements, and acknowledgement of their being voluntary and without compulsion, or any other clandestine means being used, the said parties have hereto subscribed their names, the day and month set opposite to their respective names.

Place and time of entry.	Men's names.	Quality.	Witness to each man's signing.	Pay in the River.		Wages per month, or by the run for the voyage.	Whole wages.
				Whole.	Half.		

C A P. LXXIV.

An act to enable the East India company to pay the expences of two regiments of infantry to be raised for the defence and protection of the house and warehouses of the said company, and for such publick services as are mentioned in an act, made in the thirty-fourth year of the reign of his present Majesty, intituled, An act for encouraging and disciplining such corps or companies of men as shall voluntarily enroll themselves for the defence of their counties, towns, or coasts, or for the general defence of the kingdom, during the present war.—[June 6, 1797.]

WHEREAS,

Preamble.

33 Geo. 3.
c. 52. and

34 Geo. 3.

c. 31, recited.

WHEREAS, by an act, made and passed in the thirty-third year of the reign of his present Majesty, intituled, An act for continuing in the East India company, for a further term, the possession of the British territories in India, together with their exclusive trade, under certain limitations; for establishing further regulations for the government of the said territories, and the better administration of justice within the same; for appropriating to certain uses the revenues and profits of the said company; and for making provision for the good order and government of the towns of Calcutta, Madras, and Bombay; it was, amongst other things, enacted, That during the continuance of the exclusive trade to the said company, the net proceeds of their sales of goods at home, with the duties and allowances arising by private trade, and all other profits of the said company in Great Britain, after providing for the payment of bills of exchange already accepted by the said company as the same should become due, and for the current payments of other debts, interest, and other outgoings, charges, and expenses, of the said company, (their bond debt always excepted), should be applied and disposed of in the manner in the said act particularly mentioned: and whereas by an act, made and passed in the thirty-fourth year of the reign of his present Majesty, intituled, An act for encouraging and disciplining such corps or companies of men as should voluntarily enroll themselves for the defence of their counties, towns, or coasts, or for the general defence of the kingdom, during the present war; it was (amongst other things) enacted, That any corps or companies of volunteers who then were, or should thereafter be formed, in any counties or towns in Great Britain, during the continuance of the present war, under officers having commission from his Majesty, or from the lieutenants of counties, or others who might be specially authorised by his Majesty for that purpose, and who should at any time, on being called upon by special direction of his Majesty, in case of actual invasion, or appearance of invasion, voluntarily march out of their respective counties or towns, or should voluntarily assemble within the same, to repel such invasion, or who should voluntarily march, on being called upon in pursuance of an order from his Majesty, or from the lord lieutenant or sheriff of the county, to act within the county, or the adjacent counties, for the suppression of riots or tumults, should in such cases be entitled to receive pay in such manner, and at such rates, as the officers and soldiers of his Majesty's regular forces did then receive, and should, during the time of their being continued in such service, and so receiving pay as above, be subject to military discipline, as the rest of his Majesty's regular and militia troops; provided that no officer or soldier of any volunteer corps should be liable to be tried or punished by any court martial, at any time, unless such court martial should be composed entirely of officers serving in volunteer corps formed as aforesaid; such court martial to be assembled by warrant under his Majesty's sign manual, or by warrant from some general or other officer duly authorised to hold courts martial: and whereas the united company of merchants of England trading to the East Indies are desirous, at their own expence, to raise, form, and maintain, two regiments of infantry volunteers, under the provisions of the said last recited act, to be employed for the defence and

and protection of their house and warehouses, and, subject thereto, upon such publick services as in the said last act are mentioned; and such their desire having been submitted to his Majesty's royal consideration, his Majesty hath approved thereof, and hath been graciously pleased to grant commissions to certain officers for the raising, training, and commanding the said regiments; but, by reason of the appropriation of the revenues of the said united company to and for the purposes mentioned in the said recited act of the thirty-third year of his Majesty's reign, the said united company cannot pay the charges and expences of the said two regiments without the authority of parliament: wherefore your Majesty's loyal and dutiful subjects, the said united company, most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful to and for The East India company may pay the expences of two regiments of volunteers.

the said united company, from time to time, to pay all and every charge and expence of raising, training, and cloathing, the said two regiments, and also of their pay and allowances whilst upon duty and service, and to charge the same amongst the ordinary outgoings, charges, and expences of the said united company, previous to the application of the net proceeds mentioned in the said act, made in the thirty-third year of his Majesty's reign, to, for, and upon, the purposes in and by the same act directed; any thing in the same act contained to the contrary thereof in any wise notwithstanding.

II. And be it further enacted by the authority aforesaid, That Regiments, the said two regiments shall, in the first place, be employed in while employing such manner as by the court of directors of the said united company shall be deemed necessary for the protection and defence of discipline. the house of the said united company, commonly called *The East India House*, and of the warehouses of the same company; and, subject thereto, shall be employed upon the services, and for the purposes upon and for which other volunteer corps may be called out and employed under and by virtue of the said recited act, made in the thirty-fourth year of his Majesty's reign, and during the time the said two regiments shall be employed in the defence and protection of the said united company's said house and warehouses, they shall be subject to military discipline in like manner as if they were employed in the services in the said last act mentioned.

III. And be it further enacted, That this act shall be a publick Publick act, and shall be judicially taken notice of as such, by all judges, justices, and other persons whomsoever, without the same being specially pleaded.

C A P. LXXV.

An act to enable his Majesty to draw out and embody the militia forces of the Tower Hamlets, in the county of Middlesex.—[June 6, 1797.]

WHEREAS

Preamble.

His Majesty
may, within
12 months,
embody the
Tower Ham-
lets militia.

37 Geo. 3.
c. 25.

W H E R E A S the militia of this kingdom is now drawn out and embodied; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful for his Majesty, by warrant under his sign manual, at any time within twelve months from and after the passing of this act, to draw out and embody the militia forces of the Tower Hamlets, in the county of Middlesex, or such part thereof as his Majesty, in his wisdom, shall judge necessary; the same to be subject to the restrictions and regulations contained in an act, passed in the present session, intituled, *An act for the better raising and ordering the militia forces of the Tower Hamlets, in the county of Middlesex.*

C A P. LXXVI.

An act for disallowing the bounty on the exportation to Ireland of sail cloth or canvas of the manufacture of Great Britain, for a limited time.—[June 6, 1797.]

Preamble.

12 Anne,
stat. 1. c. 16,
recited.

W H E R E A S by an act, passed in the twelfth year of the reign of her late majesty Queen Anne, intituled, *An act for the better encouragement of the making of sail cloth in Great Britain, and several subsequent acts, a reward or recompence is allowed on the exportation from Great Britain, by way of merchandize, of sail cloth or canvas, fit for or made into sails: and whereas the legislature of Ireland have excepted from the bounty on sail cloth and canvas of the manufacture of that country, such articles, when exported to Great Britain or the Isle of Man: and whereas it may be expedient that the reward or recompence granted on the exportation of sail cloth or canvas from Great Britain should not be allowed when such articles are exported to Ireland:* be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the fifteenth day of July one thousand seven hundred and ninety-seven, no reward or recompence whatever shall be allowed or paid by virtue of the said recited act, or any other act or acts of parliament, on the exportation from Great Britain to the kingdom of Ireland, of any sail cloth or canvas of the manufacture of Great Britain.

II. And be it further enacted, That this act shall continue in force until the twenty-fifth day of March one thousand seven hundred ninety-eight, and no longer.

C A P. LXXVII.

An act for making the port of San Jose, in the island of Trinidad a free port.—[June 6, 1797.]

Preamble.
27 Geo. 3.
c. 27.

W H E R E A S by several acts, made in the twenty-seventh, thirtieth, thirty-first, thirty-second, and thirty-third years of the

the reign of his present Majesty, it is provided, that wool, cotton 30 Geo. 3.
 wool, indigo, chochineal, drugs of all sorts, cocoa, tobacco, logwood,
 s斤ic, and all sorts of wood, for dyers use; hides, skins and tal-
 low; beaver, and all sorts of furs; tortoise shell, bardwood, or mill
 timber; mabogany and all other goods for cabinet ware; borse, asses, c. 37. and
 mules, and cattle, being the growth and production of any of the colo-
 nies or plantations in America belonging to or under the dominion of
 any foreign European sovereign or state; and all coin and bullion,
 diamonds or precious stones, may be imported from any of the said
 colonies or plantations, into the several ports of Kingston, Savannah
 la Mar, Montego Bay, Santa Lucea, and Antonio, in the island of
 Jamaica; the port of Saint George in the island of Grenada; the
 port of Roseau in the island of Dominica; the port of Nassau in the
 island of New Providence, one of the Bahama islands; and the port
 of Saint John's in the island of Antigua, in any foreign sloop, schooner,
 or other vessel whatever, not having more than one deck, and owned
 and navigated in the manner therein prescribed, and, together with
 other goods and commodities mentioned in the said acts, may be exported
 from thence, under certain regulations and restrictions: and whereas
 it is expedient to permit the goods and commodities herein-before enu-
 merated to be in like manner imported into the port of San Josef in
 the island of Trinidad, and, together with such other goods and com-
 modities to be in like manner exported from thence: be it therefore
 enacted by the King's most excellent majesty, by and with the
 advice and consent of the lords spiritual and temporal, and com-
 mons, in this present parliament assembled, and by the authority
 of the same, That, from and after the passing of this act, all the Certain goods
 goods and commodities herein-before enumerated and described, described in
 shall and may be imported into the port of San Josef in the acts may be
 island of Trinidad, in the like foreign ships and vessels, and, to- imported into,
 gether with such other goods and commodities mentioned in the and exported
 said acts or any of them, be exported from thence to such part of from, the port
 his Majesty's dominions to which the exportation of the same is of San Josef
 permitted by any of the said acts, under the same rules, regu- in Trinidad.
 lations, and restrictions, and subject to the like penalties and for-
 feitures, to be recovered and applied in the manner in the said
 acts, or any of them, mentioned and contained.

C A P. LXXVIII.

An act for the better regulation and encouragement of pilots for the con-
 ducting of ships and vessels into and out of the port of Liverpool.—
 [June 6, 1797.]

Act 6 Geo. 3. c. 61, repealed. Commissioners names. Commissioners to
 appoint a committee and a clerk. Committee to examine and grant
 licences to pilots. Pilots shall pay for their first licence 6l. 6s. and after-
 wards 3l. 3s. and the licence to be in force for one year. Persons
 acting without a licence to forfeit 20l. Pilots to receive for piloting any
 ship or vessel belonging to his Majesty's subjects into the port of Liver-
 pool not less than 6s. nor more than 9s. for every foot of water such
 ship shall draw, and for piloting out of the said port not less than 3s.
 nor more than 5s. Vessels in the coasting trade to pay half-price. Vessels
 not to pay for less than eight feet draught of water. For piloting alien
 ships into the port of Liverpool, not less than 9s. nor more than 12s. every
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foot, and for piloting ships out of the said port not less than 6s. nor more than 8s. every foot. Masters of vessels inward bound, refusing to take pilots who offer, to be liable to full pilotage. Pilots leading the way in any vessel, to be entitled to the pilotage. Reward for pilots assisting ships in distress to be settled by the committee. Pilots refusing to conduct ships or assist ships in distress, to forfeit 10l. and lose their licence. Compensation to be made to pilots for taking vessels out of port which have been forced back. Ships forced back after parting with the pilot and piloted out again from Hoylake to pay half price. Masters in the coasting trade in ballast or under one hundred tons may pilot their own vessels. Pilot attending a vessel to have 5s. a day. Penalty of 20l. on masters forcibly taking away pilots. Rewards to be paid to meritorious pilots. Pilots not to keep publick houses. Committee empowered to make bye laws.

C A P. LXXIX.

An act to amend and render more effectual an act, passed in the twenty-sixth year of the reign of his late majesty King George the Second, intituled, An act more effectually to enable the parishioners of the parish of Christ Church, in the county of Middlesex, to purchase, hire, or erect a workhouse for the employing and maintaining the poor of the said parish, and for the more effectual support and employment of the poor therin; and also an act, passed in the eighteenth year of his present Majesty's reign, for amending the said first mentioned act; and for enlarging the powers of the said acts, and altering the manner of rating to the poor of the said parish, and better effectuating other regulations relative thereto.—[June 6, 1797.]

C A P. LXXX.

An act for paving, cleansing, lighting, watching, and otherwise improving, all such streets and other publick passages, as are or shall be made upon a certain piece of ground, belonging to Elizabeth Doughty, spinster, situate in the parish of St. Pancras, in the county of Middlesex.—[June 6, 1797.]

C A P. LXXXI.

An act to enable the company of proprietors of the navigation from the Trent to the Mersey, to extend several branches of the canal from and out of their said navigation.—[June 6, 1797.]

C A P. LXXXII.

An act for allowing certain discounts to the contributors of eighteen millions raised by annuities by an act of the present session of parliament, who shall have completed their contributions on or before the days therein mentioned.—[June 19, 1797.]

Preamble.

37 Geo. 3.
c. 10.

WH E R E A S by an act, passed in the present session of parliament, intituled, An act for raising the sum of eighteen millions by way of annuities, the sum of eighteen millions was subscribed towards the supply of the present year, to be advanced and paid in certain proportions on or before the days in the said act mentioned: and whereas the commons of Great Britain, in parliament assembled, have resolved that certain discounts should be allowed to every contributor who should pay in the whole of his or her contribution money on or before the days herein-after mentioned, for which no provision is made by the said act: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and

and temporal, and commoners, in this present parliament assembled, and by the authority of the same; That every contributor Persons who who shall have paid in the whole of his or her contribution have paid the money towards the sum of eighteen millions raised by annuities by contributions the said act on or before the thirteenth day of January one thousand seven hundred and ninety-seven, shall be allowed an interest 1797, to be allowed a discount after the rate of three pounds per centum per annum on ninety pounds of every one hundred pounds so completed, to be computed from the said thirteenth day of January to the thirty-first day of October next ensuing.

II. And be it further enacted, That every contributor who shall have paid in the whole of his or her contribution money between the said thirteenth day of January one thousand seven hundred and ninety-seven, and the seventeenth day of March following, shall be allowed an interest by way of discount after 1797. the rate of three pounds per centum per annum on ten pounds of every one hundred pounds so completed, to be computed from the said seventeenth day of March to the thirty-first day of October next ensuing; and also an interest by way of discount after the rate of three pounds per centum per annum on eighty pounds of every one hundred pounds so completed, to be computed from the day of completing the same to the said thirty-first day of October.

C A P. LXXXIII.

An act to repeal so much of an act, passed in the present session of parliament, as prohibit the exportation and permits the importation, duty free, of several sorts of corn, and other articles made thereof.—[June 19, 1797.]

WHEREAS an act was passed in the present session of parliament, intituled, An act to continue for a limited time, and 37 Geo. 3. amend an act made in the last session of parliament, intituled, ‘An act to prohibit the exportation of corn, meal, flour, and potatoes, and to permit the importation of corn, and other articles of provision, for a limited time, in any ships whatever, without payment of duty;’ and for permitting wheat, wheat flour, and meal, imported, in order to obtain the bounties granted by an act of the last session of parliament, but which have not been found fit for making bread, to be used in the manufacture of starch, hair powder, and blue, or in the distillation of low wines and spirits: and whereas, since the passing of the said act, the prices of several of the sorts of corn therein mentioned have been considerably diminished: be it therefore enacted by the King’s most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the sixteenth day of June and so much one thousand seven hundred and ninety-seven, so much of the thereof as relates to imports as relates to the importation and exportation, and the carrying coastwise, of barley, beer, or bigg, pease, beans, oats, portation, and or carrying coast.

wife, of barley, &c. repealed.
No such articles entered for exportation before Feb. 5, 1798, entitled to bounty.

or any meal, flour, bread, biscuit, or malt, made thereof, shall be, and the same is hereby repealed.

II. Provided always, and be it further enacted, That no articles mentioned in this act, which shall be entered for exportation before the fifth day of February one thousand seven hundred and ninety-eight, shall be entitled to any bounty upon the exportation thereof; any act, custom, or usage, to the contrary notwithstanding.

C A P. LXXXIV.

An act to permit goods, the product or manufacture of certain places within the Levant or Mediterranean Seas, to be imported into Great Britain, in British or foreign vessels, from any place whatsoever, for a limited time.—[June 19, 1797.]

Preamble.

12 Car. 2.
c. 18.

WHEREAS by an act of parliament, made in the twelfth year of the reign of King Charles the Second, intituled, An act for the encouraging and increasing of shipping and navigation, all goods or commodities of the growth, production, or manufacture of Africa, Asia, or America, or any part thereof, are to be imported and brought into the kingdom of England, Ireland, or Wales, the islands of Guernsey and Jersey, or town of Berwick upon Tweed, in English-built shipping, or other shipping belonging to some of the aforesaid places, whereof the master and three-fourths of the mariners at least are English, and are not to be shipped and brought from any other place or places, country or countries, but only from those of the said growth, production, or manufacture, or from those ports where the said goods and commodities can only, or are or usually have been first shipped for transportation, and from none other places or countries, under the penalty and forfeiture of the ship and goods, excepting in some particular cases provided by the said act: and whereas, by the said in part recited act, it is also enacted, That no goods or commodities of the growth, production, or manufacture of Muscovy, or of any of the countries, dominions, or territories to the great duke or emperor of Muscovy or Russia belonging, as also that no sorts of masts, timber, or boards, no foreign salt, pitch, tar, rosin, hemp, or flax, raisins, figs, prunes, olive oil, no sort of corn or grain, sugar, pot ashes, wines, vinegar, or spirits called Aqua Vitæ, or brandy wine, shall be imported into England, Ireland, Wales, or town of Berwick upon Tweed, in any ship or ships, vessel or vessels, but in such as do truly and without fraud belong to the people thereof, or some of them, as the true owners and proprietors thereof; and whereof the master and three-fourths of the mariners at least are English; and that no currants or commodities of the growth, product, or manufacture, of any of the countries, islands, dominions, or territories, to the Ottoman or Turkish empire belonging, shall be imported into any of the fore-mentioned places in any ship or vessel, but which is of English built, and navigated as aforesaid, and in no other, except only such foreign ships and vessels as are of the built of that country or place of which the said goods are the growth, production, or manufacture respectively, or of such port where the said goods

can only be, or most usually are first shipped for transportation, and whereof the master and three-fourths of the mariners at least are of the said country or place, under the penalty and forfeiture of ship and goods: and whereas several of the articles in the said act, and herein-before particularly enumerated, being the growth or production of some of the places or countries within the Levant or Mediterranean seas, cannot be now imported directly from thence in British vessels, without great hazard of capture by the enemies, and much expence of insurance to the merchants trading to this kingdom; and it has been found necessary, during the continuance of hostilities between this kingdom and any of the powers with which this kingdom is at present at war, by temporary laws which are now in force, to suspend in some degree the strict regulations prescribed by the said recited act; and it is further expedient, for the encouragement of trade and the increase of the publick revenue to permit, for a limited time under certain restrictions, various articles of the growth, production, or manufacture of Turkey or Egypt, and other goods and commodities which are enumerated in the before recited act, which are of the growth, product, or manufacture of places or countries within the Streights or Levant seas, to be imported into this kingdom in foreign vessels, although such goods are not shipped and brought directly from the place or country of their growth, production, or manufacture, or from the ports or places from whence such goods are or usually have been first shipped for transportation: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, Persons free of from and after the passing of this act, it shall and may be lawful for any person or persons admitted into and made free of the company of merchants of England, trading into the Levant seas, commonly called or known by the name of *The Turkey Company*, to import into Great Britain any goods or commodities which have heretofore usually been imported from Turkey or Egypt, or from any place within the dominions of the grand seignior within the Levant seas, in any ship or vessel built in or belonging to Great Britain or Ireland, navigated according to law, or in any ship or vessel belonging to any kingdom or state in amity with his Majesty, his heirs or successors, navigated by foreign seamen, from any port or place whatsoever, upon payment of the same duties, if imported into Great Britain in British-built ships, as the like goods would be subject and liable to if imported in British ships directly from the place of their growth, production, or manufacture; but if such goods shall be imported in any foreign-built ship or vessel, then and in such case the goods so imported shall be subject to the duties which such goods would have been subject and liable to if this act had not been made; any thing in the said recited act, or any other act or acts of parliament, to the contrary notwithstanding.

II. Provided always, and it is hereby further enacted by the authority aforesaid, That no entry shall be suffered to pass at the custom house

until a certificate be produced that the importer is free of the Turkey company, &c.

custom house for any such goods of the growth, production, or manufacture, of Turkey or Egypt, or of any of the dominions of the grand seignior, as before the passing of this act might be imported only from such ports or places in the Straights or Levant seas as are within the dominions of the grand seignior, or for any drugs which would have been liable to the payment of treble duties when not imported directly from the place of their growth or production, and which, by the authority of this act, are permitted to be imported in manner aforesaid, until the person importing or entering the same shall produce to the collector or other proper officer of his Majesty's customs at the port of importation, a certificate under the hand of the collector of the duties for the said Turkey company, certifying such person is free of the said company, and that he has paid the duties imposed on such goods by the said company, and has conformed, in all respects, to the rules and regulations of the said company relative thereto.

Goods heretofore imported from any port of Europe within the straits of Gibraltar, except such as might be imported only from the dominions of the grand seignior, may be imported from any place not being within those dominions, &c.

III. And it is hereby further enacted by the authority aforesaid, That, from and after the passing of this act, any goods or commodities which have been heretofore usually imported from any port or place in Europe within the straits of Gibraltar, except such goods or commodities as might heretofore be imported only from such ports or places as are within the dominions of the grand seignior, shall and may, during the continuance of this act, be imported and brought by any person or persons whatsoever into Great Britain, from any port or place whatsoever not being within the dominions of the grand seignior, in any ship or vessel built in or belonging to Great Britain or Ireland, navigated according to law, or in any ship or vessel belonging to any kingdom or state in amity with his Majesty, his heirs or successors, navigated with foreign seamen, upon payment of the same duties, if imported into Great Britain in British-built ships, as the like goods would be subject and liable to if imported directly from the place of their growth, production, or manufacture, except drugs, which, if imported by any person or persons not free of the Turkey company, shall be liable to the like duties as they would have been liable to if not imported directly from the place of their growth and production, if this act had not been made; and if any such goods shall be imported in any foreign-built ship or vessel, then and in such case the goods so imported shall be subject to the duties which such goods would have been subject and liable to by law if this act had not been made; any thing in the said recited act, or any other act or acts, to the contrary notwithstanding.

IV. And whereas certain goods and commodities as aforesaid, imported in the manner herein-before mentioned, have been permitted by his Majesty in council to be landed and warehoused, subject to such duties and regulations as shall be imposed and made by parliament respecting the same: be it further enacted, That it shall and may be lawful to take all such goods and commodities out of any warehouse in which the same shall have been lodged or deposited, upon

Goods which have been warehoused, may be taken

upon payment of the like duties, and subject to the same rules out under the regulations, as such goods and commodities would have regulations of been liable unto, if they had been imported by virtue of this act.

V. And it is hereby further enacted by the authority aforesaid, That this act shall continue and remain in full force until three months after the conclusion of the present war. Continuance of act.

C A P. LXXXV.

An act to amend so much of an act, made in the thirty-second year of the reign of King George the Second, intituled, An act for the relief of debtors, with respect to the imprisonment of their persons; and to oblige debtors, who shall continue in execution in prison beyond a certain time, and for sums not exceeding what are mentioned in the act, to make discovery of, and deliver upon oath, their estates, for their creditors benefit, as relates to the weekly sums thereby directed to be paid to prisoners in execution for debt, in the cases therein mentioned.—[June 19, 1797.]

WHEREAS by an act, passed in the second year of the reign of his late majesty King George the Second, intituled, An act for the relief of debtors with respect to the imprisonment of their persons, it was, among other things, enacted, That prisoners charged in execution for any debt or debts under the sum therein mentioned, who should make an assignment of their estate and effects for the benefit of their creditors, in the manner therein specified, should be entitled to be discharged, or to have an allowance, not exceeding the sum of two shillings and four-pence per week, to be made to them by such of their creditors charging them in execution, as should insist on their being detained in prison; which act was by several subsequent acts amended and continued until the first day of June one thousand seven hundred and fifty-nine: and whereas, by an act, passed in the thirty-second year of the reign of his late majesty King George the Second, intituled, An act for the relief of debtors with respect to the imprisonment of their persons; and to oblige debtors who shall continue in execution in prison beyond a certain time, and for sums not exceeding what are mentioned in the act, to make discovery of, and deliver upon oath, their estates, for their creditors benefit; it is, amongst other things, enacted, That, from and after the fifteenth day of June one thousand seven hundred and fifty-nine, if any person or persons should be charged in execution for any sum or sums of money not exceeding, in the whole, the sum of one hundred pounds, or on which execution or executions there should remain due a sum or sums of money not amounting to above the said sum of one hundred pounds, and should be minded to deliver up to his or their creditor or creditors, who should so charge him, her, or them, in execution, all his, her, or their estate and effects, for or towards the satisfaction of the debt or debts therewith be, she, or they should so stand charged, it should and might be lawful to and for any such prisoner or prisoners to exhibit such petition to such court of law, and to carry on such proceedings thereon as in the said last mentioned act are

are particularly specified and set forth; and that the several requisites contained in the said act, having been complied with on the part of such prisoner or prisoners as therein mentioned, it should and might be lawful for such court, by rule or order thereof, immediately to cause such prisoner or prisoners to be discharged, upon his, her, or their executing such assignment and conveyance of his, her, or their estate and effects in the manner therein mentioned, unless such creditor or creditors who should have charged any such prisoner or prisoners in execution, his, her, or their executors or administrators, should agree, by writing, in the manner therein mentioned, to pay and allow weekly a sum not exceeding two shillings and four-pence, as any such court should think fit, unto such prisoner, to be paid so long as any such prisoner should continue in prison, in execution at the suit of any such creditor or creditors, with such remedy, in case of any failure in the payment of such weekly sum, as in the said act is particularly mentioned: and whereas it is also by the said act further enacted, that where more creditors than one should charge any prisoner or prisoners in execution, and should desire to have such prisoner or prisoners detained in prison, each and every such creditor and creditors should only respectively pay such weekly sum of money, not exceeding one shilling and sixpence a week, as therein mentioned: and whereas such allowance is now insufficient for the purpose for which it was intended; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the fifth day of July one thousand seven hundred and ninety-seven, so much of the said last recited act, as relates to the amount of the several and respective sums, not exceeding two shillings and four-pence, and one shilling and sixpence, to be paid and allowed as aforesaid, shall be and the same is hereby repealed.

From July 5, 1797, so much of last recited act as relates to weekly allowances, repealed.

Prisoners entitled to such allowance, may apply to the court to have it increased, &c.

II. And be it further enacted, That it shall and may be lawful for all and every such prisoner and prisoners in execution for debt, on the said fifth day of July one thousand seven hundred and ninety-seven, who shall be, by virtue of any rule or order of any court, entitled to receive from any creditor or creditors any sum not exceeding the said sum of two shillings and four-pence, to make an application by petition to the court in the prison whereof such prisoner or prisoners shall remain and be charged in custody, praying that such weekly allowance be ordered to be increased by virtue of this act; and that upon due notice being given to such creditor or creditors of such petition, it shall and may be lawful for such court to hear the matter thereof, and by rule or order of such court immediately to cause such prisoner or prisoners to be discharged, unless such creditor or creditors, his, her, or their executors, administrators, or assigns, doth or do insist upon such prisoner or prisoners being detained in prison, and shall agree in the manner mentioned in the said last-mentioned act, with respect to the allowance not exceeding two shillings and four-pence per week, to pay and allow weekly a sum not exceeding three shillings and sixpence, as any such court shall think fit, unto

unto such prisoner, to be paid at and for such time or times, and under and subject to the like regulations as in the said act are expressed with respect to the said allowance not exceeding two shillings and four-pence per week.

III. And be it further enacted, That in all cases where any person or persons, charged in execution for debt at any time or times from and after the said fifth day of July one thousand seven hundred and ninety-seven, would have been entitled to be discharged under the provisions of the said act last-mentioned, unless their creditor or creditors would agree as therein mentioned to pay and allow a weekly sum not exceeding two shillings and four-pence to such prisoner, as any such court as is therein mentioned should think fit, it shall and may be lawful for such court, by rule or order thereof, immediately to cause the said prisoner or prisoners to be discharged, upon such prisoner or prisoners executing such assignment and conveyance of his or her estate and effects as is therein mentioned, unless the creditor or creditors doth or do insist upon such prisoner or prisoners being detained in prison, and shall agree, by writing signed in the manner in the said last-mentioned act, to pay and allow weekly a sum not exceeding three shillings and sixpence, as any such court shall think fit, unto the said prisoner or prisoners, to be paid at such time and times, and in such manner, and upon the same terms and conditions, and under the same rules and regulations in every respect, as in and by the said act is provided with respect to the allowance thereby directed to be made.

IV. Provided always, and be it enacted, That where more creditors than one shall have already charged, or shall at any time or times hereafter, from and after the said fifth day of July one thousand seven hundred and ninety-seven, charge, under detention, they and by virtue of the said last recited act, any person or persons are each to in execution, and shall desire to have such prisoner or prisoners pay him not detained in prison, each and every such creditor and creditors exceeding 2s. shall respectively pay such weekly sum of money only, not exceeding two shillings, on every Monday in every week, to or for such prisoner or prisoners respectively, as the court before whom any such prisoner or prisoners shall be brought up to be discharged, under the powers, authorities, and directions, contained in the said last recited act, shall, at the time of his, her, or their being remanded, on such note for the payment of the weekly sum ordered to be paid, as in the said last recited act is required and provided being given, direct or appoint.

C A P. LXXXVI.

An act for amending an act, passed in the thirty-second year of the reign of his present Majesty, intituled, An act for the maintenance and improvement of the harbour of Ramsgate, in the county of Kent; and for cleansing, amending, and preserving, the haven of Sandwich, in the same county.—[June 19, 1797.]

C A P. LXXXVII.

An act for paving, lighting, watching, cleansing, watering, improving, and keeping in repair, Great Tower Hill; and for removing and preventing nuisances and annoyances within the same.—[June 19, 1797.]

Trustees

Trustees appointed. Trustees may appoint officers. Not less than five trustees to act. Power to improve Great Tower Hill, within the following limits; from the west end of Postern Row, by the outside of the foot pavement, northward to the south end of Cooper's Row, and from thence by the outside of the foot pavements to be made before the intended inclosure in the front of the Trinity House, to the entrance into Muscovy, and from thence by the outside of the foot pavement running southward by the end of Barking Alley, to the north east end of Tower Street, and from thence eastward in the line of the present bar to Tower Ditch, and from thence by the side of the said ditch to the west end of Postern Row aforesaid. Referring the right of his Majesty and the city of London to Tower Hill. Trustees may contract for paving, &c. Rates not to exceed 28. 6d. in the pound. This act not to extend to the foot pavements in the front of the houses on Tower Hill. Trustees may borrow £5000. by annuities or at interest. Treasurer and collector to account.

C A P. LXXXVIII.

An act to alter, amend, and render more effectual, an act made in the fourteenth year of the reign of his late majesty King George the Second, intituled, An act for the effectual draining and preservation of Waterbeach Level, in the county of Cambridge, and to establish an agreement made between the lord of the manor of Waterbeach cum Denny, and the commoners within the said manor; and also to raise a further sum of money for the improvement and security of the said level.—[June 19, 1797.]

C A P. LXXXIX.

An act to amend and render more effectual an act, made in the thirty-third year of his late majesty King George the Second, intituled, An act for draining and preserving certain fen lands and low grounds in the Isle of Ely and counties of Suffolk and Norfolk, between Mildenhall river south, Plant Load and Brandon river north, bounded on the west by the river Ouse, and on the east by Winter Load, Earwell Brook, and the Hard Lands of Mildenhall; and for empowering the governor, bailiffs, and commonalty of the company of conservators of the great level of the fens, commonly called Bedford Level, to sell certain fen lands, lying within the limits aforesaid, commonly called Invested Lands, so far as relates to the several fen lands and low grounds lying in the first district described in the said act; and also, to amend and render more effectual an act, passed in the thirteenth year of the reign of his present Majesty, for amending and rendering more effectual the said first recited act.—[June 19, 1797.]

C A P. XC.

An act for granting to his Majesty certain stamp duties on the several matters therein mentioned, and for better securing the duties on certificates to be taken out by solicitors, attorneys, and others, practising in certain courts of justice in Great Britain.—[June 22, 1797.]

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects the commons of Great Britain in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making such permanent addition to the publick revenue as shall be adequate to the increased charge occasioned by any loan to be raised, or stock to be created, by virtue of any act or acts for that purpose to be passed in this session of parliament,

ment, have freely and voluntarily resolved to give and grant unto your Majesty the duties herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That there shall be raised, levied, collected, and paid, throughout the kingdom of Great Britain, upon every skin, ^{From July 5, 1797, the 101-} or piece of vellum or parchment, or sheet or piece of paper, on duties to be which any of the several matters herein-after mentioned shall, paid: from and after the fifth day of July one thousand seven hundred and ninety-seven, be engrossed, printed or written, the respective stamp duties following; that is to say,

Any entry, minute, or memorandum, of any admission into any corporation or company in the court book, roll, or record, of such corporation or company, the sum of four shillings:

Any admission into any of the inns of court, or inns of chancery, the sum of four pounds:

Any admission into any of the four inns of court, the further four inns of sum of four pounds and two shillings over and above the said last-mentioned sum of four pounds:

Any admittance, or instrument for admitting, of any fellow of the college of physicians, or of any attorney, clerk, advocate, proctor, notary, or other officer in any court whatsoever in Great Britain, (not being an annual officer in the court of any corporation or inferior court, whose office is under the value of ten pounds *per annum* in salary, fees, and perquisites), the sum of eight pounds:

Any agreement for which the stamp duties of six shillings and of one shilling are charged by two acts of the twenty-third and thirty-fifth years of the reign of his present Majesty, the sum of three shillings:

Any award, the sum of five shillings:

Any beneficial warrant or order under the sign manual of his Majesty, his heirs or successors, the sum of twelve shillings and sixpence:

Any bill of exchange, draft, or order for the payment of money on demand, for which any stamp duty is charged by an act of the thirty-first year of the reign of his present Majesty, where the sum expressed therein shall amount to forty shillings and shall not exceed five pounds and five shillings, the sum of one penny; and where such sum shall exceed five pounds and five shillings and shall not exceed thirty pounds, the sum of two-pence; and where such sum shall exceed thirty pounds and shall not exceed fifty pounds, the sum of three-pence; and where such sum shall exceed fifty pounds and shall not exceed one hundred pounds, the sum of four-pence; and where such sum shall exceed one hundred pounds and shall not exceed two hundred pounds, the sum of sixpence:

Any bill of exchange, draft, or order, payable otherwise than on demand, where the sum expressed therein, or made payable thereby, is less than the sum demanded:

On admission into a corporation, or company,

inns of court, or inns of chancery,

and on admission of a fellow of the college of physicians, or of an attorney, &c. in any court.

Awards.

Beneficial warrants, &c.

Bills of exchange, &c. payable on demand.

Bills of ex-

change, &c. payable other-
wise than on
thereby, demand.

thereby, shall amount to forty shillings and shall not exceed thirty pounds, the sum of two-pence; and where such sum shall exceed thirty pounds and shall not exceed fifty pounds, the sum of three-pence; and where such sum shall exceed fifty pounds and shall not exceed one hundred pounds, the sum of four-pence; and where such sum shall exceed one hundred pounds and shall not exceed two hundred pounds, the sum of sixpence:

Any bill of exchange whatsoever, where the sum expressed therein, or made payable thereby, shall exceed two hundred pounds, the sum of eight-pence:

Bills of exchange exceeding 200l. Any bill or note of lading which shall be signed for any goods or merchandizes to be exported, the sum of one shilling;

Bonds. Any bond given as a security for money, the amount whereof shall not exceed one hundred pounds, the sum of three shillings; where the amount shall exceed one hundred pounds and shall not amount to five hundred pounds, the sum of ten shillings; where the amount shall be of the value of five hundred pounds or upwards, the sum of fifteen shillings; where the amount shall be of the value of one thousand pounds or upwards, the further sum of ten shillings; where the amount shall be of the value of two thousand pounds or upwards, the further sum of one pound; where the amount shall be of the value of five thousand pounds or upwards, the further sum of two pounds:

Bonds. Any bond not hereby otherwise charged, except bail bonds, and assignments thereof, and except bonds exempted from the duties on stamped vellum, parchment, and paper, by an act passed in the thirty-second year of the reign of his present Majesty, for the relief of the coast trade of Great Britain, and for exempting certain coast documents from stamp duties; and also except bonds given by executors and administrators, where the estate to be administered shall not exceed the sum of twenty pounds; and bonds to be given by the widow of any common soldier or seaman dying in his Majesty's service, on obtaining any probate of a will, or letters of administration of any estate, the sum of three shillings:

Certificate for drawbacks. Any certificate or debenture for drawing back any customs or duties, or any part of any customs or duties, for or in respect of the reshipping or exporting of any goods or merchandize from Great Britain, the sum of two shillings:

Collations, &c. to benefices. Any collation to be made by any archbishop, or other bishop, or any presentation or donation which shall pass the great seal of Great Britain, or which shall be made by any patron whatsoever, of or to any benefice, dignity, or spiritual or ecclesiastical promotion whatsoever, the sum of six pounds:

Deeds enrolled of record. Any conveyance, surrender of grants or offices, release, or other deed whatsoever, which shall be enrolled of record in any court whatsoever, or by any custos rotulorum, or clerk of the peace, the sum of ten shillings:

Copies of wills. Any copy of any will, the sum of three-pence:

Copies of deeds. Any copy, purporting to be a true copy, or attested to be a true copy, of any indenture, lease, or other deed, or any part thereof,

thereof, for the security or use of any person, other than the person having or being entitled to the custody of such indenture, lease, or other deed, the sum of six shillings and eight-pence:

Any dispensation to hold two ecclesiastical dignities or benefices, or both a dignity and benefice, or any other dispensation or faculty, from the lord archbishop of *Canterbury*, or the master of the faculties for time being, the sum of ten pounds:

Any exemplification whatsoever that shall pass the seal of any Exemplifications. court, the sum of one pound:

Any grant or letters patent under the great seal of *Great Britain*, or Grants or let-
ters patent, or of any honour, dignity, promotion, franchise, liberty, or privi-
lege, to any person or persons, bodies politick or corporate, or
any exemplification of the same, the sum of eight pounds:

Any grant from his Majesty, his heirs or successors, of any Grants passing sum of money exceeding one hundred pounds, which shall pass the great or the great seal, or privy seal (not directed to the great seal), the privy seal. sum of six pounds:

Any grant of lands in fee, lease for years, or other grant of Grants passing profit not herein particularly charged, that shall pass the great seal, the great seal, the seal of the exchequer, the seal of the duchy or county chequer, &c. palatine of *Lancaster*, or privy seal, (not directed to the great seal), the great seal, the sum of six pounds:

Any grant of any office or employment which shall be above Grants of the value of one hundred pounds *per annum*, the sum of six pounds; office. which value shall be calculated on the amount of the salary, fees, and perquisites appertaining to such office or employment within the year:

Any indenture, lease, or other deed, not hereby otherwise Indentures, charged, for which a stamp duty of one shilling is payable by leases, &c. virtue of an act, made in the thirty-fifth year of the reign of his present Majesty, (except indentures for binding parish or charity children apprentices), the sum of three shillings:

Any institution or licence that shall pass the seal of any arch- Institutions or bishop or bishop, chancellor or other ordinary, or any ecclesiasti- licences. cal court whatsoever in *England*, or any writ or instrument for the like purpose, with any such institution or licence that shall be passed or made by any presbytery or other spiritual power in *Scotland*, the sum of fifteen shillings:

Any inventory or catalogue of any furniture, goods, or effects, Inventories made with reference to any agreement, or for the security of any of goods, fur- person not hereby otherwise charged, the sum of two shillings niture, &c. and sixpence:

Any letters of mart, the sum of fifteen shillings:

Letters of mart.

Any matriculation of a person in either of the two universities in *England*, the sum of four shillings:

Matricula-
tions in Eng-
land.

Any pardon (except the general circuit or *Newgate* pardons) of or for any crime or offence, or of any sum of money or forfeiture whatsoever, or any warrant of reprieve or relaxation from any pecuniary fine or forfeiture exceeding one hundred pounds, or from any corporal punishment, the sum of six pounds:

Any

Any passport, the sum of one shilling:

Any probate of a will or letters of administration for any estate of or above the value of three hundred pounds, the sum of two pounds and ten shillings; where the estate is of or above the value of six hundred pounds, the further sum of one pound and ten shillings; and where the estate is of or above the value of one thousand pounds, the further sum of two pounds; and where the estate is of or above the value of two thousand pounds, the further sum of four pounds; and where the estate is of or above the value of five thousand pounds, the further sum of five pounds; and where the estate is of or above the value of ten thousand pounds, the further sum of five pounds:

**Notes to
bearer on de-
mand re-issua-
ble where
first issued.**

Any promissory note, or other note for the payment of money to the bearer on demand, which may be re-issuable from time to time after payment at the place where the same was first issued, but not otherwise, where the sum expressed therein, or made payable thereby, shall amount to forty shillings, and shall not exceed five pounds and five shillings, the sum of one penny; and where such sum shall exceed five pounds and five shillings, and shall not exceed thirty pounds, the sum of two-pence; and where such sum shall exceed thirty pounds, and shall not exceed fifty pounds, the sum of three-pence; and where such sum shall exceed fifty pounds, and shall not exceed one hundred pounds, the sum of four-pence; and where such sum shall exceed one hundred pounds, and shall not exceed two hundred pounds, the sum of sixpence:

**Notes to
bearer on de-
mand re-issua-
ble at any
place.**

Any promissory note, or other note for the payment of money to the bearer on demand, which may be re-issued from time to time after any payment at the same place or any other place than where the same was first issued, where the sum expressed therein or made payable thereby shall amount to forty shillings, and shall not exceed five pounds and five shillings, the sum of two-pence; and where such sum shall exceed five pounds and five shillings, and shall not exceed thirty pounds, the sum of four-pence:

**Notes to
bearer payable
otherwise than
on demand.**

Any promissory note; or other note payable otherwise than to the bearer on demand, where the sum expressed therein, or made payable thereby, shall amount to forty shillings, and shall not exceed thirty pounds, the sum of two-pence; and where such sum shall exceed thirty pounds, and shall not exceed fifty pounds, the sum of three-pence; and where such sum shall exceed fifty pounds, and shall not exceed one hundred pounds, the sum of four-pence; and where such sum shall exceed one hundred pounds, and shall not exceed two hundred pounds, the sum of sixpence:

**Notes exceed-
ing 200l.**

Any promissory note, or other note payable on demand, or otherwise, where the sum expressed therein, or made payable thereby, shall exceed two hundred pounds, the sum of eight-pence:

Protests.

Any protest or other notarial act whatever, the sum of two shillings:

Any

Any recognizance, statute staple or statute merchant, the sum of ten shillings :

Any register, entry, testimonial, or certificate of any degree Recognizances taken in either of the two universities in *England*, the sum of two shillings : pounds :

Any register, entry, testimonial, or certificate of any degree Registers, &c. of degrees in any inn of court, the sum of fourteen pounds :

Any surrender of, or admittance to, any copyhold land or the universi- tenement, (except such copyhold land or tenement as shall not land, ditto in exceed the clear yearly value of twenty shillings ; and also except inns of court. the original surrender to the use of a will), or any grant or lease Surrenders of, by copy of court roll, or any other copy of the court roll of any and admittance to, copy- honour or manor, (other than the court roll or book wherein holds. the proceedings of the court are entered and enrolled), the sum of three shillings :

Any copy of any surrender of, or admittance to, any custom Copy of sur- right or tenant right estate, not being copyhold, which shall pass render of, or by surrender and admittance, or by admittance only, and which to, estates not shall not pass by deed (except such custom right or tenant right copyhold. estates as shall not exceed the clear yearly value of twenty shillings), the sum of three shillings :

Any transfer of stock in any company, society, or corporation, Transfer of (except the companies of the governor and company of the bank stock. of *England*, and of the governor and company of merchants of Great Britain trading to the South Seas, and other parts of America, and for encouraging the fishery), the sum of ten shillings :

Any writ of covenant for levying a fine, or any writ of entry Writs for levying fines, &c. for suffering a common recovery, the sum of fifteen shillings :

Any appeal from the courts of admiralty either in *England* or Scotland, the court of arches, or the prerogative courts of Canterbury or York, the sum of six pounds : Appeal from the courts of admiralty, &c.

Any answer exhibited in the courts of admiralty or cinque ports, the sum of three shillings : Answer in courts of admiralty, &c.

Any libel, allegation, deposition, or inventory exhibited in the courts of admiralty or cinque ports, the sum of two shillings and Libel in ditto. sixpence :

Any copy of any citation, monition, or answer, made in the Copy of citation, &c. in do. courts of admiralty or cinque ports, the sum of three shillings :

Any copy of any libel, allegation, deposition, or inventory, Copy of libel, exhibited in the courts of admiralty or cinque ports, the sum of two shillings and sixpence : &c. in ditto.

Any personal decree, warrant, or monition, in any court of Personal decree, &c. in ditto. admiralty or the cinque ports, or any copy thereof, the sum of five shillings :

Any sentence that shall be given in the courts of admiralty, Sentence of either in *England* or *Scotland*, or the cinque ports exercising ad- courts of admiralty jurisdiction, or any attachment that shall be made out of the said courts of admiralty, or any relaxation of any such attach- ment, the sum of ten shillings ; Sentence of ditto.

Any sentence or final decree exhibited in the courts of admiralty or cinque ports, or any copy thereof, the sum of two shillings :

Any

Surrenders in Scotland.

Any principal or original instrument of surrender or resignation of any messuages, houses, lands, tenements, hereditaments, tythes, mills, fishings, and other heritable rights, or any of them, to be made to any of his Majesty's subjects who are or shall be the superiors thereof, or to any city, town, burgh, or corporation, or to any magistrates or others who have power to receive such surrenders or resignations in *Scotland*, the sum of four shillings and nine-pence:

Charters, &c. in ditto.

Any charter or resignation, confirmation, *Novo Damus*, or charter, upon apprizing or adjudication made or granted by such superior or others as aforesaid in *Scotland*, the sum of four shillings and nine-pence:

Retours of service, &c. in ditto.

Any principal or original retour of any service of heirs, or any precept of *Clare Constat* of lands or tenements, holding of any subject as aforesaid in *Scotland*, the sum of four shillings and nine-pence:

Saisines in ditto.

Any principal or original saisine taken or following upon any mortgage, wadset, heritable bond, alienation or disposition, or upon any charter precept of *Clare Constat*, retours, apprisings, or adjudications of lands or tenements holding of any subject as aforesaid in *Scotland*, the sum of four shillings and nine-pence:

Surrenders of burgage tenure, &c. in Scotland.

Any principal or original instrument of surrender or resignation, service, or cognition of heirs, charter of saisine of any houses, lands, tenements, or hereditaments, holding burgage, or of burgage tenure, in *Scotland*, the sum of four shillings and nine-pence.

From July 5, 1797, the following duties to be paid in Great Britain:

II. And be it further enacted, That, from and after the fifth day of July one thousand seven hundred and ninety-seven, there shall be raised, levied, collected, and paid, throughout *Great Britain*, unto and for the use of his Majesty, his heirs and successors, the rates and duties following; that is to say,

Newspapers
1d. 2q.

For and upon every newspaper, or paper containing publick news, intelligence, or occurrences, printed in *Great Britain*, to be dispersed and made publick, whether the same be contained in half a sheet or any less piece of paper, or in any paper larger than half a sheet, the sum of one penny halfpenny:

Almanacks
4d.

For every almanack or calendar for one particular year, or for any time less than a year, the sum of four-pence.

Duties for sets of foreign bills of exchange.

III. Provided always, and be it further enacted, That nothing herein contained shall be construed to extend to charge any foreign bills of exchange, drawn in sets according to the custom of merchants, with any additional duty higher than after the following rate; that is to say, Where the sum expressed in such bills or made payable thereby shall not exceed one hundred pounds, there shall be charged an additional stamp duty of two-pence; and where such sum shall exceed one hundred pounds, and shall not exceed two hundred pounds, an additional stamp duty of three-pence; and where such sum shall exceed two hundred pounds, an additional stamp duty of four-pence: provided that

that every bill of each set of such bills so drawn shall be charged, and every such bill is hereby declared to be chargeable, with the like additional duty according to the rate above mentioned.

IV. And be it further enacted, That the duties charged on Duties to be paid above any of the matters and things herein-before mentioned, on which former duties, any former duty is by law payable, shall be paid over and above and to be under the management of the commissioners for the time being appointed to manage the stamps, &c. the duties payable on the same respectively, on and immediately before the passing of his act; and that the said duties hereby granted shall be under the government, care, and management, of the commissioners for the time being appointed to manage the stamps, &c. duties charged on stamped vellum, parchment, and paper, who, or the major part of them, are hereby required and empowered to employ the necessary officers under them for that purpose; and in order to denote any of the several duties payable by virtue of this act, whenever they see occasion to use such stamps as shall have been heretofore provided, to denote any former duties on stamped vellum, parchment, or paper, or to cause new stamps to be provided for that purpose, or for the purpose of denoting the former duties, and also the duties granted by this act, and to alter or renew the same respectively from time to time, and to do all other things necessary to be done for putting this act in execution, with relation to the said several duties herein-before granted, in the like and in as full and ample a manner as they, or the major part of them, are authorised to put in execution any former law concerning stamped vellum, parchment, and paper.

V. And be it further enacted, That if any person shall coun-
terfeit or forge, or cause or procure to be counterfeited or forged, death for
any stamp directed or allowed to be used by this act, or provided, counterfeiting
made, or used, for the purpose of denoting the duties by this act
granted as aforesaid, or any of them, or shall counterfeit or re-
semble the impression of the same, with an intent to defraud his
Majesty, his heirs or successors, of any of the said duties, or shall
utter, vend, or sell, any vellum, parchment, or paper, liable to
any stamp duty by this act imposed, with such counterfeit stamp
or mark thereupon, knowing the same to be counterfeit, or shall
privately or fraudulently use any stamp directed or allowed to be
used by this act, with intent to defraud his Majesty of the said
duties, then every person so offending, and being thereof law-
fully convicted, shall be adjudged a felon, and shall suffer death,
as in cases of felony, without benefit of clergy.

VI. And be it further enacted, That all powers, provisions, Powers of acts
rules, methods, articles, clauses, penalties, and forfeitures, dis-
tributions of penalties and forfeitures, and all other matters and
things prescribed or appointed by any act or acts of parliament in force at and immediately before the passing of this act, relating
to the stamp duties on vellum, parchment, and paper, (and not
hereby altered), shall (as far as the same are respectively applica-
ble) be of full force and effect with relation to the additional and
other duties herein-before mentioned, and shall be applied and
put in execution for the raising, levying, collecting, and secur-
ing, the said additional and other duties according to the true

surrender, &c. without demanding the duty for each distinct tenement, he shall forfeit 20l. &c.

from any person whatever, any fine or fee for any surrender or admittance of or to any copyhold tenement, or for any grant or lease by copy of any court roll, or for any other copy of the court roll of any honour or manor, or for any surrender or admittance, or instrument of admittance, to any custom right or tenant right tenement, not being copyhold, without at the same time demanding and receiving the stamp duty in respect of each several and distinct tenement as aforesaid, then and in every such case every such steward or other officer shall, for every such offence, forfeit and pay the sum of twenty pounds, and the duties which shall be due and payable thereon, whether the same shall have been so received by the steward or other officer as aforesaid, or not, shall be a debt to his Majesty, his heirs and successors, of the steward or officer who shall or ought to have received the same; and if the same shall not be received by such steward or other officer, then the said duties shall also be a debt to his Majesty, his heirs and successors, of the person or persons to whom any estate as aforesaid shall pass by force of any surrender, admittance, or copy, or instrument of admittance, which shall not be so stamped as aforesaid.

If an officer of a manor shall receive the duties, and neglect to pay them for three months, he shall forfeit 5l. and double the duty.

XIII. And be it further enacted, That if any steward or other officer of any honour or manor shall receive the duties payable on any such surrender, admittance, instrument of admittance, or copy as aforesaid, and shall neglect to purchase the proper stamp for the same, and to pay the stamp duty so received to the officer appointed by the commissioners of his Majesty's stamp duties for such purpose, for the space of three calendar months after he shall so have received the same, every such steward or other officer aforesaid, shall for every such offence forfeit and pay the sum of five pounds, and double the duty which shall not be so paid by him within the time aforesaid.

Persons having on July 5, 1797, vellum, &c. stamp'd with the old duties, may, within a limited time, have it stamp'd with the proper stamp, or exchanged;

XIV. And be it further enacted, That it shall be lawful for any persons who shall, on the said fifth day of July one thousand seven hundred and ninety-seven, have in their custody or possession any vellum, parchment, or paper, stamped or marked with any stamp or mark, or stamps or marks, used to denote any of the duties now payable by law on stamped vellum, parchment, or paper, by virtue of any act or acts in force on and immediately before the passing of this act, and upon which vellum, parchment, or paper, any duty is hereby imposed in addition to the duty now payable, at any time within the space of sixty days, for persons residing in England, and of four calendar months for persons residing in Scotland, to be computed from and after the said fifth day of July one thousand seven hundred and ninety-seven, to bring or send such vellum, parchment, or paper, to the said commissioners, at their said head office, who, or their officers under them, are hereby authorised and required, on payment of the respective duties by this act imposed, to the receiver general of the said duties, or to some person or persons to be authorised by him for such purpose, to cause such vellum, parchment, or paper, to be duly stamped and marked with the proper stamp or mark,

mark, or stamps or marks, to denote the payment of the respective duties hereby imposed; or at the election of the person or persons bringing such vellum, parchment, or paper, to cause the same to be cancelled, and other vellum, parchment, or paper to be stamped with the proper stamps of the like value with the amount of the stamps so cancelled, and of the duties so paid, without demanding or taking directly or indirectly any sum of money or consideration whatever (other than the duty hereby imposed) for the same; and all vellum, parchment, and paper but if not so stamped or marked by virtue of any act or acts now in force as brought, instruments aforesaid, on which any matter or thing shall be engrossed, written thereon to be of no effect. printed, or written, after the said fifth day of July one thousand seven hundred and ninety-seven, which shall not be brought within the respective times aforesaid to the said head office, shall be, and is hereby declared to be, of no other effect or use than if the same had not been so stamped; and the matters and things which shall after the said fifth day of July one thousand seven hundred and ninety-seven, be engrossed, printed, or written thereon, shall be of no other effect than if the same matters and things had been engrossed, printed, or written, on unstamped vellum, parchment, or paper.

XV. And be it further enacted, That no promissory note, or No note allowed by 31 Geo. 3. c. 25. other note, which by the said act passed in the thirty-first year of the reign of his present Majesty, is allowed to be again issued under certain regulations therein contained, shall, from and after the said fifth day of July one thousand seven hundred and ninety-seven, be again issued after payment thereof, until the same shall have been brought to the said head office to be stamped with a proper stamp in the manner directed by this act; and the said commissioners are hereby authorised and required to stamp the same, or cause the same to be stamped, on payment of the duty by this act imposed, on proof on oath or solemn affirmation before the said commissioners, (which oath or solemn affirmation the said commissioners, or any two or more of them, are hereby authorised to administer), that the same hath not been, after payment thereof, again issued since the said fifth day of July one thousand seven hundred and ninety-seven; and any such promissory or other note which shall be first issued or negotiated after the said fifth day of July one thousand seven hundred and ninety-seven, and which may be after any payment thereof according to the regulations of the said act again issued, being also first stamped with the proper stamp to denote the duty by this act imposed, may be again issued from time to time in the manner allowed by the said act; and all rules, regulations, duties, and penalties prescribed or imposed by the said act, with respect to the stamping such promissory or other notes, in order to issue the same from time to time, or with respect to the issuing, or negotiating, or cancelling such notes, after payment thereof, shall be applied and put in practice with respect to the securing the duties by this act imposed, according to the true intent and meaning of Regulations of the said act to extend to this.

this act, as fully and effectually, to all intents and purposes, as if the same had severally been enacted in the body of this act.

From July 5, 1797, certain additional duties to be paid on gold and silver plate imported, or made in Great Britain.

XVI. And be it further enacted, That, from and after the said fifth day of July one thousand seven hundred and ninety-seven, there shall be raised, levied, collected, and paid, unto and for the use of his Majesty, his heirs and successors, the rates or duties following; that is to say, For and upon all gold plate which shall be imported or brought into, or which shall be made or wrought within, the kingdom of *Great Britain*, and which shall or ought to be touched, assayed, and marked in *Great Britain*, an additional duty after the rate of eight shillings for every ounce troy, and so in proportion for any greater or less quantity; and for and upon all silver plate, which, from and after the said fifth day of July one thousand seven hundred and ninety-seven, shall be imported or brought into, or which shall be made or wrought within, the kingdom of *Great Britain*, and which shall or ought to be touched, assayed, and marked in *Great Britain*, an additional duty after the rate of sixpence for every ounce troy; and so in proportion for any greater or less quantity.

Duties on gold and silver plate made in Great Britain to be under the management of the commissioners for stamps.

XVII. And be it further enacted, That the duties hereby imposed on gold and silver plate made or wrought in *Great Britain*, shall be under the management of the said commissioners of stamp duties; and the same shall be raised, levied, recovered, answered, and paid, in such and the like manner, and in and by the like means, ways, and methods, by which the duties on gold and silver plate wrought in *Great Britain*, and granted by an act, passed in the twenty-fourth year of the reign of his present Majesty, are or may be raised, levied, recovered, and paid, and shall be subject and liable to all the like rules, regulations, methods, restrictions, exemptions, and penalties, as the said former duties are subject and liable to by any law in force on and immediately before the passing of this act.

Duties on gold and silver plate imported to be under the management of the commissioners of customs.

XVIII. And be it further enacted, That the duties hereby imposed on gold or silver plate imported or brought into this kingdom, shall be under the management of the commissioners of customs in *England* and *Scotland* respectively, and shall be managed, ascertained, raised, levied, collected, and paid, in such and the like manner, and in and by any and either of the means, ways, and methods, by which the duties of customs on gold and silver wrought plate imported, imposed by an act passed in the twenty-seventh year of the reign of his present Majesty, were or might be managed, ascertained, raised, levied, collected, and paid; and the said goods, wares, or merchandize, so by this act made chargeable with a duty on importation, shall be subject and liable to all and every the conditions, regulations, rules, restrictions, and forfeitures, to which the like goods, wares, and merchandize, were subject and liable by any act or acts in force on and immediately before the passing of this act.

From July 5, 1797, an additional duty of

XIX. And be it further enacted, That, from and after the said fifth day of July one thousand seven hundred and ninety-seven, there

there shall be raised, levied, collected, and paid, throughout the 6d. per cent. kingdom of Great Britain, unto and for the use of his Majesty, to be paid for his heirs and successors, the yearly sum of sixpence over and above insurances from loss by the yearly sum of one shilling and sixpence now payable for every fire; sum of one hundred pounds, and so in proportion for any greater or less sum, that is or shall be insured by any person or persons, in or by any policy of insurance for insuring houses, furniture, goods, wares, merchandize, or other property, from loss by fire.

XX. And be it further enacted, That the said last mentioned which duty shall be under the management of the commissioners of stamp duties, and the same shall be raised, levied, recovered, answered, and paid, in such ways, and for stamps. and the like manner, and in and by the like means, methods, by which the said duties of one shilling and sixpence, granted on the like insurances by an act passed in the twenty-second year of the reign of his present Majesty, are or may be raised, levied, recovered, and paid, and shall be subject and liable to all the like rules, regulations, methods, restrictions, exemptions, and penalties, as the former duties are subject and liable to by any law in force on and immediately before the passing of this act.

XXI. And be it further enacted, That all the monies arising Duties, except by the several duties herein-before mentioned, except those on gold and silver plate imported, shall be paid, from time to time, into the hands of the receiver general for the time being of the duties on stamped vellum, parchment, and paper, who shall pay the same, the necessary charges of raising, paying, and accounting for the same being deducted, into the receipt of the exchequer, at such time, and in such manner, as the duties charged on stamped vellum, parchment, and paper, are directed to be paid; and the said money so paid into the said receipt as aforesaid, shall be carried to and made part of the consolidated fund.

XXII. Provided always, and be it further enacted, That the Duties to be monies arising or to arise of the several rates or duties hereby granted as aforesaid, or so much thereof as shall be sufficient, shall be deemed an addition made to the revenue, for the purpose of defraying the encreased charge occasioned by any loan made or stock created, or to be created, by virtue of any act or acts passed, or to be passed, in this session of parliament; and that the said monies shall, during the space of ten years next ensuing, be paid into the said receipt, distinctly and apart from all other branches of the publick revenues; and there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book or books, in which all the monies arising from the said rates and duties paid into the said receipt shall, together with the monies arising from any other rates and duties granted in this session of parliament, for the purpose of defraying such encreased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatever.

XXIII. And whereas certain stamp duties of six shillings or of eleven shillings respectively, are charged by several acts on every skin or piece of vellum or parchment, or sheet or piece of paper, on which shall be engrossed, printed, or written, any policy of assurance: and, whereas it is expedient that the said duties, as far as the same relate to policies for insuring houses, furniture, goods, wares, merchandizes, or other property, from loss by fire, should be repealed; and other duties

Present duties granted in lieu thereof, be it further enacted, That all the duties on policies for insuring houses, furniture, goods, wares, merchandizes, or other property, from loss by fire, imposed by any act or acts in force on and immediately before the passing of this act, on every skin or piece of vellum or parchment, or sheet or piece of paper, on which any policy of insurance for insuring houses, furniture, goods, wares, merchandizes, or other property, from loss by fire, shall, from and after the said fifth day of July one thousand seven hundred and ninety-seven, cease and determine, save and except always as to any arrears of the said several duties which may, on the said fifth day of July one thousand seven hundred and ninety-seven, remain unpaid, or to any fines, penalties, or forfeitures, relating thereto, which shall have been incurred at any time before or on the said fifth day of July one thousand seven hundred and ninety-seven; and also save and except the several powers, provisions, and remedies, for recovering the said duties respectively, which shall continue to be in full force and effect.

and the duties
following to
be paid:

XXIV. And be it further enacted, That, from and after the said fifth day of July one thousand seven hundred and ninety-seven, there shall be raised, levied, collected, and paid to and for the use of his Majesty, his heirs and successors, throughout the kingdom of Great Britain, the duties herein-after next mentioned; that is to say,

where the sum insured shall not amount to £1,000., &c.;

and for £1,000. and upwards.
6s.;

which shall be levied as the repealed duties.

Duties on policies to be paid into the exchequer as other stamp duties.

For every skin, or piece of vellum or parchment, or sheet or piece of paper, upon which shall be engrossed, written, or printed, any policy of insurance for insuring houses, furniture, goods, wares, merchandizes, or other property, from loss by fire, where the sum insured thereon shall not amount unto one thousand pounds, the sum of three shillings; and where the sum insured thereon shall amount unto one thousand pounds, or upwards, the sum of six shillings:

Which several duties shall be raised, levied, collected, and paid, in like manner as the duties hereby repealed were or might be raised, levied, collected, and paid, on and immediately before the passing of this act, or any duties hereby granted, may be raised, levied, collected, or paid by virtue of this act.

XXV. Provided always, and be it further enacted, That the monies arising from the said several rates and duties hereby granted on policies (the necessary charges of raising and accounting for the same being deducted), shall be paid into his Majesty's receipt of exchequer at Westminster, at such time and in such manner as other duties on stamped vellum, parchment, or paper,

paper, are directed to be paid, and shall be carried to and made part of the consolidated fund.

XXVI. And whereas, by an act passed in the twenty-fifth year of the reign of his present Majesty, intituled, An act for granting to his Majesty certain duties on certificates, to be taken out by solicitors, attorneys, and others, practising in certain courts of justice in Great Britain; and certain other duties with respect to warrants, mandates, and authorities, to be entered or filed on record, as therein mentioned; certain duties were granted on certificates to be taken out by any solicitor, attorney, notary, proctor, agent, or procurator, of his admission, enrolment, or register, in any of the courts therein mentioned: and whereas, for the avoiding frauds, it is expedient that the certificates shall be taken out only at the head office of stamps; be it further enacted, That, from and after the first day of November one thousand seven hundred and ninety-seven, every person admitted, sworn, enrolled, or registered, a solicitor, attorney, notary, proctor, agent, or procurator, in any of his Majesty's courts at Westminster, or in any ecclesiastical court, or in any of the courts of admiralty or cinque ports, the great sessions in Wales, or in any courts in the counties palatine, or in any other court in that part of Great Britain called England holding pleas, where the debt or damage shall amount to forty shillings or more, shall annually, between the first day of November and the end of Michaelmas term the next following, during such time as he shall continue so to practise in any of the said courts, or before such person shall commence, carry on, or defend, any action or suit, or any proceedings whatsoever in any of the said courts, deliver in to the commissioners appointed to manage the duties on stamped vellum, parchment, and paper, or to their officer or officers appointed by them, at the head office of stamps in Middlesex, a paper or note, in writing, containing the name and usual place of residence of such person; and thereupon, and upon payment of the duties by the said act imposed, according to the place of his residence described in such paper or note, in writing, every such person shall be entitled to a certificate, duly stamped, to denote the payment of the duty by the said act imposed, according to the place of residence described as aforesaid: which certificate the said commissioners, or such person or persons who shall be appointed by the said commissioners, shall cause to be immediately issued, under the hand and name of the proper officer, in such form as the said commissioners shall devise.

XXVII. And be it further enacted, That every certificate so to be obtained as aforesaid, shall be entered in one of the courts in which the person described therein shall be admitted, enrolled, sworn or registered, with the respective officer or officers of the said courts, appointed by the said act to grant certificates of enrolment, admission, or register, within the time herein-before prescribed, or before such person shall be permitted to practise as aforesaid; and the said respective officers shall, and they are hereby respectively required, from time to time, upon payment of the fee of one shilling, to enter in alphabetical order the names of the persons

25 Gen. 3. c.
80, recited.

From Nov. 1,

1797, every

solicitor, &c.

in the courts

at Westminster, and cer-

tain other

courts, shall

between Nov.

1. and the end

of Michaelmas

term an-

nually, de-

liver at the

head office

for stamps a

note, contain-

ing his name

and abode, in

order to ob-

tain a certifi-

cate.

Certificates to

be entered

with the pro-

per officer of

the court,

who shall be

paid 1s. for

the entry.

Books of entry may be inspected gratis.

When such certificates shall bear date, and when determine.

Certificates granted before Nov. 1, 1797, shall cease on that day; and on such certificates delivered to be cancelled, an allowance of duty in proportion to the period unexpired to be allowed.

Penalty for acting after Nov. 1, 1797, without a certificate, or without entering it, or for delivering in a place of residence contrary to the directions of 25 Geo. 3. c. 80.

persons described in such respective certificates, together with the places of such their residence as aforesaid, and the respective dates of such certificates, in books or rolls to be prepared for that purpose, to which books or rolls in the said courts respectively, all persons shall and may at seasonable times have free access without fee or reward.

XXVIII. And be it further enacted, That every certificate issued by virtue of this act, between the first day of November in any year, and the end of the then next Michaelmas term, shall bear date on the second day of November in such year; and every certificate issued at any other time, shall bear date on the day on which the same shall be issued; and every such certificate shall cease and determine on the first day of November then next following.

XXIX. And be it further enacted, That every certificate granted, or which shall be granted at any time before the first day of November one thousand seven hundred and ninety-seven, by virtue of the said recited act, and in the manner therein mentioned, shall cease and determine on the first day of November one thousand seven hundred and ninety-seven; and any person who shall deliver any certificate granted after the first day of November one thousand seven hundred and ninety-six, or to be granted before the first day of November one thousand seven hundred and ninety-seven, and then in force, to the said commissioners at their said office, or to any person appointed by them to receive the same, to be cancelled, shall be entitled to an allowance of duty in proportion to the period then unexpired of the time for which such certificate was granted; which allowance the said commissioners or their respective officers are hereby authorised and required to compute and pay to the person delivering such certificate to be cancelled, and the same may be paid out of any duties in their hands, or in case any of the persons bringing any certificate to be cancelled, shall require a new certificate for the ensuing year, then to deduct the same out of the duties to be paid for such new certificate.

XXX. And be it further enacted, That, from and after the first day of November one thousand seven hundred and ninety-seven, if any person shall in his own name, or in the name of any other person or persons, sue out any writ or process, or commence, prosecute, carry on, or defend, any action or suit or any proceedings in any of the courts aforesaid, for or in expectation of any gain, fee, or reward, or shall do any act in any of the said courts as an attorney, solicitor, notary, proctor, agent, or procurator, of such court, without obtaining a certificate in the manner herein-before directed, or without entering the same in one of the courts aforesaid, wherein such person shall be admitted, enrolled, sworn, or registered, as solicitor, attorney, notary, proctor, agent, or procurator, or shall deliver in to any person at the said head office, any account, containing a place of residence as the place of his residence, contrary to the directions of the said act of the twenty-fifth year of the reign of his present Majesty aforesaid,

aforesaid, with intent to evade the payment of the higher duties of five pounds, by the said act imposed, every such person shall, for every such offence, forfeit and pay the sum of fifty pounds, and shall be and is hereby made incapable to maintain or prosecute any action or suit in any court of law or equity, for the recovering any fee, reward, or disbursement, on account of prosecuting, carrying on, or defending any action, suit, or proceeding, or having prosecuted, carried on, or defended, any action, suit, or proceeding, or any matter or thing relating thereto, without such certificate as aforesaid.

XXXI. And be it further enacted, That every person admitted, sworn, enrolled, or registered, in any of the said courts as aforesaid, who, from and after the said first day of November, shall neglect to obtain his certificate thereof, in the manner before directed, for the space of one whole year, shall from thenceforth be incapable of practising in his own name, or in the name of any other person, in any of the said courts, by virtue of such admission, entry, enrolment, or register; and the admission, entry, enrolment, or register of such person in any of the said courts, shall be from thenceforth null and void: provided always, That nothing herein-before contained shall be construed to prevent any of the said courts from re-admitting any such person on payment to the said commissioners of the duty accrued since the expiration of the last certificate obtained by such person, and such further sum of money by way of penalty, as the said court shall think fit to order and direct: provided also, That nothing herein-before contained shall be construed to include within the regulations of this act respecting such persons as last aforesaid, any person who is exempted by the provisions of the said act of the twenty-fifth year aforesaid, from the payment of the duty imposed thereby.

XXXII. And be it further enacted, That, from and after the tenth day of October one thousand seven hundred and ninety-seven, out of the monies arising from the rates and duties imposed by the said last mentioned act of the twenty-fifth year aforesaid, after the said tenth day of October one thousand seven hundred and ninety-seven, the sum of three thousand six hundred and forty-seven pounds and ten shillings, being one fourth part of the sum of fourteen thousand five hundred and ninety pounds, the annual average produce for three years, ending the first day of August one thousand seven hundred and ninety-seven, of the rates and duties imposed by the said last mentioned act, shall, quarterly on the fifth day of January, the fifth day of April, the fifth day of July, and the tenth day of October, in every year during the period of ten years, be set apart from the remainder of the monies arising from the said rates and duties; which remainder shall, during the said period of ten years, be paid into the receipt of his Majesty's exchequer, distinctly and apart from all other branches of the publick revenue; and that the said remainder of the said rates and duties so paid into the said receipt, or so much thereof as shall be sufficient, shall be deemed an addition made to the revenue for the purpose of defraying the increased charge occasioned by any loan to be made by virtue of any act or acts to be passed in this session

From Nov. 1,
1797, persons
neglecting to
obtain certifi-
cates for a
year incapable
of practising;
but they may
be re-admitted
on payment of
the duty and
a penalty.

Application of
duties under
25 Geo 3. c.
80. from Oct.
10, 1797.

of parliament ; and that there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book or books, in which the said remainder of the monies arising from the said rates and duties, shall, together with the monies arising from any other rates or duties granted in this session of parliament for the purpose of defraying such increased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatever.

XXXIII. And whereas it is expedient that a reasonable compensation should be made to such proprietors, printers, and publishers of newspapers, who shall not advance the price of their papers beyond the amount of the duty imposed thereon by this act ; be it further enacted,

That for every such newspaper, or paper containing publick news, intelligence, or occurrences, which shall be sold at a price not exceeding sixpence, there shall be paid an allowance, by way of discount, upon the amount of all the respective duties payable on newspapers, by any act or acts in force on and immediately before the passing of this act, and also by this act, after the rate and in manner herein-after mentioned ; and that the said allowance shall in all cases where the same shall be made, be in lieu of all former allowances directed to be made by any act or acts of parliament whatever.

For every newspaper not fold at more than 6d. there shall be a discount allowed on the amount of all the dues.

If the proprietor or printer shall make it appear that a newspaper has been, for 3 months before passing this act, sold for more than 4d. aq. the discount may be allowed if the advance of price be no more than the new duty.

Persons paying 10l. at a time for duty, to be entitled to a discount.

Commissioners to provide
to stamps, leniting

XXXIV. Provided always, and be it further enacted, That if the proprietors or printers of any newspaper, or any of them, shall make it appear to the satisfaction of the said commissioners of stamp duties, or any three or more of them, or any officer appointed by them, or any three or more of them, for such purpose, that any newspaper of which such person or persons is or are proprietor or proprietors, or printer or printers, hath been for the space of three calendar months, or longer, before the passing of this act, usually sold at a higher price than four-pence halfpenny for each newspaper, it shall be lawful for the said commissioners to make the like allowance as herein-after is mentioned to such proprietors and printers respectively, who shall not advance the price of their papers above their usual price as aforesaid, more than the amount of the duty by this act imposed thereon.

*XXXV. And be it further enacted, That any person or persons who shall bring to the head office of stamps, to be stamped with the respective duties imposed on newspapers as aforesaid, any paper commonly called *Single Demy Paper*, not exceeding in each sheet thereof twenty-eight inches in length and twenty inches in breadth, to be stamped on each sheet thereof ; or any paper commonly called *Double Demy Paper*, to be stamped on each half sheet thereof, shall, on present payment at any one time of the sum of ten pounds or upwards, on account of the said respective duties, be entitled, on demand, to an allowance, by way of discount after the rate of sixteen pounds *per centum per annum*, on the sum so paid.*

XXXVI. And be it further enacted, That the said commissioners shall cause two stamps to be provided, to denote the duties payable on newspapers, the one of which stamps shall also denote

the discount to be allowed in pursuance of this act; and all such paper which shall be brought to the said head office to be stamped, on payment of the duties on newspapers as aforesaid, and whereupon the discount hereby directed to be allowed shall be demanded and paid, shall be stamped with the stamp herein-before directed to be provided to denote the discount to have been allowed; and all such paper whereupon no discount shall be demanded and paid in pursuance of this act, shall be stamped with the other of the said stamps: and if any person or persons shall print, or cause or procure to be printed, any newspaper, or paper aforesaid, liable to the said duties, without printing, or causing to be printed thereon, the full price at which the same shall be sold, or shall sell or expose to sale, any such newspaper or paper aforesaid, at any greater price than the sum printed thereon, or shall print, or cause or procure to be printed, on any such newspaper, or paper aforesaid, which shall be stamped with the stamp herein-before directed to denote the discount to have been allowed in pursuance of this act, any price exceeding the sum allowed by this act, and according to the true intent and meaning thereof; or shall sell, or expose to sale, any such newspaper, or paper aforesaid, which shall be stamped with the said stamp to denote the discount to be allowed as aforesaid, at any price exceeding the sum so allowed, and according to the true intent and meaning of this act, every such person shall, for every such offence, forfeit and pay the sum of twenty pounds.

XXXVII. Provided always, and be it further enacted, That nothing herein contained shall be construed to limit the price of any paper whereupon the allowance by this act granted shall not have been demanded and paid, nor to prevent any person, on present payment of the duties imposed by any act or acts in force on and immediately before the passing of this act, from receiving the allowance of four pounds *per centum* thereon, in any case where the allowance by this act granted shall not be demanded and paid.

XXXVIII. And be it further enacted, That if any action or suit shall be brought or commenced against any person or persons for any thing done in pursuance of this act, then and in every such case the said action or suit shall be commenced within six calendar months after the fact committed, and not afterwards; and shall be brought in the county or place where the cause of action shall arise, and not elsewhere; and that the defendant or defendants in such action or suit to be brought, may plead the general issue, and give this act and the special matter in evidence General issue, at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act; and if it shall appear to be so done, or if any such action or suit shall be brought after the time before limited for bringing the same, or shall be brought in any other county, city, or place, than as aforesaid, then, and in every such case, the jury shall find for the defendant or defendants; and if upon such verdict, or if the plaintiff or plaintiffs shall become nonsuited, or discontinue his, her, or their action,

Penalty of 20L
for not print-
ing the full
price on the
newspaper, or
selling it at a
greater price,
&c.

Where the al-
lowance here-
by granted
is not de-
manded, &
not to limit
the price, nor
to prevent the
allowance be-
ing made of
4l. per cent.
on payment of
former duties.
Limitation of
actions.

of parliament; and that there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book or books, in which the said remainder of the monies arising from the said rates and duties, shall, together with the monies arising from any other rates or duties granted in this session of parliament for the purpose of defraying such increased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatever.

XXXIII. And whereas it is expedient that a reasonable compensation should be made to such proprietors, printers, and publishers of newspapers, who shall not advance the price of their papers beyond the amount of the duty imposed thereon by this act; be it further enacted,

That for every such newspaper, or paper containing publick news, intelligence, or occurrences, which shall be sold at a price not exceeding sixpence, there shall be paid an allowance, by way of discount, upon the amount of all the respective duties payable on newspapers, by any act or acts in force on and immediately before the passing of this act, and also by this act, after the rate and in manner herein-after mentioned; and that the said allowance shall in all cases where the same shall be made, be in lieu of all former allowances directed to be made by any act or acts of parliament whatever.

For every newspaper not sold at more than 6d. there shall be a discount allowed on the amount of all the duties.

If the proprietor or printer shall make it appear that a newspaper has been, for 3 months before passing this act, sold for more than 4d. aq. the discount may be allowed if the advance of price be no more than the new duty.

Persons paying 10l. at a time for duty, to be entitled to a discount.

Commissioners to provide two stamps, one denoting

XXXIV. Provided always, and be it further enacted, That if the proprietors or printers of any newspaper, or any of them, shall make it appear to the satisfaction of the said commissioners of stamp duties, or any three or more of them, or any officer appointed by them, or any three or more of them, for such purpose, that any newspaper of which such person or persons is or are proprietor or proprietors, or printer or printers, hath been for the space of three calendar months, or longer, before the passing of this act, usually sold at a higher price than four-pence halfpenny for each newspaper, it shall be lawful for the said commissioners to make the like allowance as herein-after is mentioned to such proprietors and printers respectively, who shall not advance the price of their papers above their usual price as aforesaid, more than the amount of the duty by this act imposed thereon.

*XXXV. And be it further enacted, That any person or persons who shall bring to the head office of stamps, to be stamped with the respective duties imposed on newspapers as aforesaid, any paper commonly called *Single Demy Paper*, not exceeding in each sheet thereof twenty-eight inches in length and twenty inches in breadth, to be stamped on each sheet thereof; or any paper commonly called *Double Demy Paper*, to be stamped on each half sheet thereof, shall, on present payment at any one time of the sum of ten pounds or upwards, on account of the said respective duties, be entitled, on demand, to an allowance, by way of discount after the rate of sixteen pounds *per centum per annum*, on the sum so paid.*

XXXVI. And be it further enacted, That the said commissioners shall cause two stamps to be provided, to denote the duties payable on newspapers, the one of which stamps shall also denote

the discount to be allowed in pursuance of this act; and all such paper which shall be brought to the said head office to be stamped, on payment of the duties on newspapers as aforesaid, and whereupon the discount hereby directed to be allowed shall be demanded and paid, shall be stamped with the stamp herein-before directed to be provided to denote the discount to have been allowed; and all such paper whereupon no discount shall be demanded and paid in pursuance of this act, shall be stamped with the other of the said stamps: and if any person or persons shall print, or cause or procure to be printed, any newspaper, or paper aforesaid, liable to the said duties, without printing, or causing to be printed thereon, the full price at which the same shall be sold, or shall sell or expose to sale, any such newspaper or paper aforesaid, at any greater price than the sum printed thereon, or shall print, or cause or procure to be printed, on any such newspaper, or paper aforesaid, which shall be stamped with the stamp herein-before directed to denote the discount to have been allowed in pursuance of this act, any price exceeding the sum allowed by this act, and according to the true intent and meaning thereof; or shall sell, or expose to sale, any such newspaper, or paper aforesaid, which shall be stamped with the said stamp to denote the discount to be allowed as aforesaid, at any price exceeding the sum so allowed, and according to the true intent and meaning of this act, every such person shall, for every such offence, forfeit and pay the sum of twenty pounds.

XXXVII. Provided always, and be it further enacted, That nothing herein contained shall be construed to limit the price of any paper whereupon the allowance by this act granted shall not have been demanded and paid, nor to prevent any person, on present payment of the duties imposed by any act or acts in force on and immediately before the passing of this act, from receiving the allowance of four pounds *per centum* thereon, in any case where the allowance by this act granted shall not be demanded and paid.

XXXVIII. And be it further enacted, That if any action or suit shall be brought or commenced against any person or persons for any thing done in pursuance of this act, then and in every such case the said action or suit shall be commenced within six calendar months after the fact committed, and not afterwards; and shall be brought in the county or place where the cause of action shall arise, and not elsewhere; and that the defendant or defendants in such action or suit to be brought, may plead the general issue, and give this act and the special matter in evidence General issue, at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act; and if it shall appear to be so done, or if any such action or suit shall be brought after the time before limited for bringing the same, or shall be brought in any other county, city, or place, than as aforesaid, then, and in every such case, the jury shall find for the defendant or defendants; and if upon such verdict, or if the plaintiff or plaintiffs shall become nonsuited, or discontinue his, her, or their action,

Penalty of 20l.
for not print-
ing the full
price on the
newspaper, or
selling it at a
greater price,
&c.

Where the al-
lowance here-
by granted
is not de-
manded, act
not to limit
the price, nor
to prevent the
allowance be-
ing made of
4l. per cent.
on payment of
former duties.
Limitation of
actions.

Treble costs.

action, or if a verdict shall pass against the plaintiff or plaintiffs, or if, upon demurrer, judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same, as any defendant or defendants hath or have for costs of suit in other cases by law,

C A P. XCII.

An act to continue, for a limited time, an act, made in this present session of parliament, intituled, An act for confirming and continuing, for a limited time, the restriction contained in the minute of council of the twenty-fifth day of February one thousand seven hundred and ninety-seven, on payments of cash by the bank, under certain regulations and restrictions.—[June 22, 1797.]

C A P. XCII.

An act to continue for a limited time an act, made in the thirty-third year of his present Majesty's reign, intituled, An act for establishing regulations respecting aliens arriving in this kingdom, or resident therein, in certain cases.—[June 22, 1797.]—Continued to July 1, 1799.

C A P. XCIII.

An act to indemnify such persons as have omitted to obtain their certificates of enrolment, admission, or registry, in the several courts of this kingdom.—[June 22, 1797.]

Preamble.

25 Geo. 3.
c. 80, recited.

WHEREAS many persons who by an act, passed in the twenty-fifth year of the reign of his present Majesty, intituled, An act for granting to his Majesty certain duties on certificates to be taken out by solicitors, attorneys, and others, practising in certain courts of justice in Great Britain; and certain other duties with respect to warrants, mandates, and authorities, to be entered or filed of record, as therein mentioned, are required to take out certificates of their enrolment, admission, or registry, in the courts therein mentioned, annually, ten days at least before the expiration of the former certificate, have neglected or omitted so to do, through absence or some unavoidable accident, and without any intention to defraud, and some actions have been commenced and are depending, and other actions are likely to be commenced against such persons to recover the penalties incurred by them: for relieving such persons, may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall be lawful for any person who shall have neglected or omitted to take out his certificate at the time or in the manner required by the said act, within three calendar months after the passing of this act, to take out a certificate, or to pay to the receiver general of his Majesty's stamp duties, or to some officer appointed by him, such sum and sums of money which shall appear to be due in respect of the duty imposed by the said act; and after that rate for such year or years, or for such portion or portions of time greater or less than a year,

Persons who
have neglected
to take out
certificates as
required by
recited act,
may take them
out within
three months
after passing
this act, and
shall be in-
demnified.

for

1796.] Anno regni tricesimo septimo GEORGII III. c. 94, 95. 319

for or during which such person shall have neglected or omitted to take out his certificate, (the amount of which sum and sums so to be paid shall be ascertained and settled by the commissioners of his Majesty's stamp duties, or by some person or persons to be appointed by them under their hands, or the hands of any three or more of them, who are hereby authorised and required to ascertain and settle the same accordingly); and every such person shall, upon payment of all such sum and sums of money, be and is hereby indemnified, freed, and discharged, from and against all penalties, forfeitures, incapacities, and disabilities, incurred or to be incurred for or by reason of any neglect or omission previous to the passing of this act, of taking or obtaining a certificate in the manner prescribed by the said act; and all acts done by any such person shall be of the same force and validity as the same or any of them would have been if such person had obtained his certificate according to the directions of the said act; and that all proceedings in any action or actions already commenced for any neglect or omission of taking out or obtaining such certificate, shall, in the mean time, be staid, and shall not be further proceeded in after the said period of three calendar months, against any person who shall have paid the duty in the manner before directed; and no action or actions shall be commenced or prosecuted for such neglect or omission, until after the expiration of the said three calendar months, and then only against persons paying such person or persons who shall neglect to comply with the provisions of this act.

II. Provided always, and be it further enacted, That this act, or any thing herein contained, shall not be construed to extend to indemnify any person against whom final judgement shall have been given on or before the first day of June one thousand seven hundred and ninety-seven, in any action in any of his Majesty's courts of record, for any penalty or penalties incurred by having neglected or omitted to obtain his certificate according to the directions of the said act.

III. And be it further enacted, That this act shall be deemed, taken, and allowed, to be a publick act; and all judges, justices, and other persons, are hereby required to take notice thereof as such, without specially pleading the same.

C A P. XCIV.

An act to continue an act, made in the thirty-first year of the reign of his present Majesty, intituled, An act for the encouragement of the pilchard fishery, by allowing a further bounty upon pilchards, taken, cured and exported.—[June 22, 1797.]

C A P. XCV.

An act to amend two acts made in the fourth year of the reign of Queen Anne, and the first year of the reign of King George the First, for the preservation of salmon and other fish in the rivers within the counties of Southampton and Wilts.—[June 22, 1797.]

C A P.

C A P. XCVI.

An act for amending and rendering more effectual an act, passed in the thirteenth year of his late majesty King George the First, intituled, An act for the effectual draining and preservation of Haddenham Level in the Isle of Ely; and for more effectually draining and preserving the fens lands and low grounds lying within the said Level.—[June 22, 1797.]

C A P. XCVII.

An act for carrying into execution the treaty of amity, commerce, and navigation, concluded between his Majesty and the united states of America.—[July 4, 1797.]

Preamble.

Treaty with America recited.

WHEREAS a treaty of amity, commerce, and navigation, has been concluded between his Majesty and the united states of America: and whereas, by the eleventh article of the said treaty, it is agreed between his Majesty and the united states of America, that there should be a reciprocal and entirely perfect liberty of navigation and commerce between their respective people, in the manner, under the limitations, and on the conditions specified in the following articles of the said treaty: and whereas, by the fifteenth article of the said treaty, it is further agreed, that no other or higher duties shall be paid by the ships or merchandize of the one party, in the ports of the other, than such as are paid by the like vessels or merchandize of all other nations; nor shall any other or higher duty be imposed in one country, on the importation of any articles, the growth, produce, or manufacture of the other, than are or shall be payable on the importation of the like articles, being of the growth, produce, or manufacture of any other foreign country; nor shall any prohibition be imposed on the exportation or importation of any articles, to or from the territories of the two parties respectively, which shall not equally extend to all other nations: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and

Goods may be imported from the United States of America into Great Britain, in British or American ships, &c. under certain regulations. may be lawful to import into this kingdom, directly from any of the territories of the united states of America, in British-built ships or vessels, owned, navigated, and registered according to law, or in ships built in the countries belonging to the united states of America, or any of them, or in ships taken by any of the ships or vessels of war belonging to the government, or any of the inhabitants of the said united states, having commissions or letters of marque and reprisal from the government of the said united states, and condemned as lawful prize in any court of admiralty of the said united states, of which condemnation proof shall be given to the satisfaction of the commissioners of his Majesty's customs, or any four or more of them, in that part of Great Britain called England, and any three or more of them, in that part of Great Britain called Scotland, and owned by the subjects of the said united states, or any of them, and whereof the master and three fourths of the mariners, at least are subjects of

of the said united states, any goods, wares, or merchandize, the growth, production, or manufacture of the said united states, which are not prohibited by law to be imported from foreign countries, and to enter and land such goods, wares, and merchandize, upon payment of the duties, and subject to the conditions and regulations herein-after mentioned; any law, custom, or usage, to the contrary in anywise notwithstanding.

II. And be it further enacted, That all such goods, wares, and merchandize, imported into Great Britain, either in such ships, or in British-built ships, owned, navigated, and registered according to law (except such goods, wares, and merchandize as are herein-after particularly enumerated or described) shall and may be entered and landed, upon payment of such duties of customs and excise, and no higher, as are payable on goods, wares, and merchandize of the like denomination or description, upon their importation into this kingdom, in British-built ships, from any other foreign country; and in cases where different duties are imposed upon goods, wares and merchandize of the like denomination or description, imported from different foreign countries, then upon payment of the lowest duties which by law are required to be paid on the importation, in British-built ships, of any such goods, wares, or merchandize, from any foreign country, according to the schedule and tables, marked A, D, and F, annexed to an act, passed in the twenty-seventh year of his present Majesty's reign, intituled, *An act for repealing the several duties of customs and excise, and granting other duties in lieu thereof, and for applying the said duties, together with the other duties composing the publick revenue; for permitting the importation of certain goods, wares, and merchandize, the produce or manufacture of the European dominions of the French king, into this kingdom; and for applying certain unclaimed monies, remaining in the exchequer for the payment of annuities on lives, to the reduction of the national debt;* or by any other laws in force, passed subsequent to the said act, touching the duties contained in the said schedule and tables, marked A, D, and F, subject also, when imported in American ships, to the countervailing duties imposed by this act.

III. And, in order to encourage and promote the trade from the united states to this kingdom, be it further enacted, That any pig iron, bar iron, pitch, tar, turpentine, rosin, pot ash, pearl ash, mahogany, masts, yards, and bowsprits, being the growth, production, or manufacture of the said united states, and all staves, and unmanufactured goods and merchandize whatsoever, which are not prohibited by law to be imported from any foreign country, being the growth or production of the said united states, shall or may be imported in British or American ships, owned and navigated as herein-before required, upon payment of such duties of customs and excise as are payable on the like goods, wares, and merchandize, when accompanied with the certificates required by law upon their importation into this kingdom, in British built ships, from any British island or plantation

plantation in *America*, notwithstanding such goods, wares, or merchandize, may not be accompanied with the certificates heretofore required by law, subject also, when imported in *American ships*, to the countervailing duties imposed by this act.

The duties on
importation of
wheat, &c. to
be ascertained
according to
the prices in
table D, in 31
Geo. 3. c. 30.

IV. Provided always, and be it further enacted, That upon the importation into *Great Britain*, from the said united states of *America*, of wheat, wheat meal or flour, rye, barley, beer, or bigg, oats, oatmeal, pease, beans, *Indian corn*, and maize, the duties to be paid thereon respectively shall be regulated and ascertained according to the prices of wheat, rye, barley, beer, or bigg, pease, beans, oats, and oatmeal, in the manner set forth and specified in the table marked D, in an act, passed in the thirty-first year of his Majesty's reign, intituled, *An act for regulating the importation and exportation of corn, and the payment of the duty on foreign corn imported, and of the bounty on British corn exported*; any thing contained in this act to the contrary notwithstanding.

American oil,
&c. may be
imported on
payment of
the same du-
ties as on
importation
from countries
not belonging
to his Majesty,
in British ves-
sels.

V. And be it further enacted, That all oil made from fish, or creatures living in the sea, and blubber, whale fins, and spermaceti, being the produce of the fisheries carried on by the people of the said united states of *America*, may be imported from the countries of the said united states into this kingdom, in *British* or *American ships*, owned and navigated as herein-before required, upon payment of such duties of customs as are payable on the like goods and merchandize, upon their importation into this kingdom, in *British-built ships*, from countries not under the dominion of his Majesty, subject also, when imported in *American ships*, to the countervailing duties imposed by this act.

American to-
bacco may be
so imported
on payment of
the like duties
as from Bri-
tish colonies
in America by
British sub-
jects; and
snuff, on the
payment of
the like duties
as European
production,
&c.

VI. And be it further enacted, That any tobacco, being the growth or production of any of the territories of the said united states of *America*, may be imported in *British* or *American ships*, owned and navigated as herein-before required, upon payment of the same duties of customs and excise as tobacco imported by *British subjects*, from any *British colony* or plantation in *America*, is or may hereafter be subject to; and that any snuff, being the production and manufacture of any of the said territories, may be imported, in manner before-mentioned, upon payment of such duties of customs and excise as snuff, being the production or manufacture of *Europe*, imported from *Europe*, is or hereafter may be subject to, and may be warehoused, and again exported; such tobacco and snuff to be subject respectively nevertheless to all and singular the regulations, restrictions, penalties, and forfeitures, relating to the importation and exportation thereof, or in any other respect relating thereto, of an act, made and passed in the twenty-ninth year of the reign of his present Majesty, intituled, *An act for repealing the duties on tobacco and snuff, and for granting new duties in lieu thereof*; and another act, passed in the thirtieth year of his present Majesty's reign, intituled, *An act to explain and amend an act, made in the last session of parliament, intituled, "An act for repealing the duties on tobacco and*

snuff, and for granting new duties in lieu thereof; or of any other act since made relating thereto, subject also, when imported in American ships, to the countervailing duties imposed by this act: provided always, That such tobacco shall be accompanied with a manifest, as by law required.

VII. And be it further enacted, That any rice, being the growth or production of any of the territories of the united states of America, which shall be imported directly from thence into any of the ports of Great Britain, in manner before-mentioned, may, upon the importer paying down, in ready money, of 8d. per cwt.; the duty of eight-pence the hundred weight, being part of the duties now payable on the importation of rice, be landed and warehoused, except as herein-after provided, under the joint locks of his Majesty and the importer, in such warehouses as shall be approved of for that purpose by the commissioners of his Majesty's customs, or any four or more of them, in that part of Great Britain called England, or any three or more of them, in that part of Great Britain called Scotland, or by the collector and comptroller of his Majesty's customs of the respective ports into which such rice shall be imported, upon the importer's own bond for payment of the remainder of the duties due and payable for such rice, within eighteen months, according to the net weight and quantity of such rice at the time it shall be so landed: provided always, That upon the importation of any such rice into the ports of London, Bristol, Portsmouth, Cowes, Liverpool, Lancaster, Falmouth, Poole, Whitehaven, Hull, Greenock, and Port Glasgow, or either any duty, of them, in the manner herein-before expressed, the importer shall be at liberty to enter and land the same, without payment of any duty whatever, upon condition that such rice shall be warehoused, under the joint locks of his Majesty and the importers, in such warehouse or warehouses as shall be approved of for that purpose by the commissioners of his Majesty's customs, or any four or more of them, in that part of Great Britain called England, or any three or more of them, in that part of Great Britain called Scotland, or by the collector and comptroller of his Majesty's customs of the respective ports where such rice shall be imported; and that every expence attending such warehousing shall be borne by the said importers; and that such importer or importers or his or their known servant, shall, from time to time, at all seasonable hours, as occasion may require, have free access to such warehouses, in the presence of some proper officer of the customs, for the purpose of skreening and shifting the rice, to prevent its receiving damage; and that if any rice, which shall be imported from the territories of the said united states into any of the ports above-mentioned respectively, and warehoused as aforesaid, shall be taken out of the warehouses, wherein the same shall be secured under the joint locks of his Majesty and the importers as aforesaid, for home consumption, the full duties due and payable by law, upon the importation of such rice into this kingdom for home consumption, and also, when imported in American ships, the countervailing duty imposed by this act, shall, American rice may be imported and warehoused, on payment of 8d. per cwt.; and at certain ports without London, Bristol, Portsmouth, Cowes, Liverpool, Lancaster, Falmouth, payment of 8d. per cwt.; and at certain conditions.

but may be exported duty free, under the subsisting regulations within a limited period.

Bonds for duties on rice imported at ports not herein named, to be cancelled by debentures, on taking it out of warehouses for exportation; but when taken out for home consumption the remainder of the duties to be paid.

If duties be not paid on warehoused rice in 18 months it may be sold.

Act not to prevent the importation of rice, &c. duty-free, under 37 Geo. 3. c. 7.

Goods imported from America, on

previously to its being taken out of such warehouses, be paid to the collector of his Majesty's customs at the port where such rice shall be so warehoused, but that such importer, if he intends to export such rice, shall have liberty to export the same from such warehouses respectively, under the same regulations under which such rice might be exported by law immediately before the passing of this act, without payment of any duty whatever: provided, that the exportation of any such rice, hereafter to be warehoused under the authority of this act, be made within the said space of eighteen months; but if not exported within that period, that the full duties payable by law, and also, when imported in *American* ships, the countervailing duty imposed by this act, shall be paid for the same, and not be afterwards drawn back; and that if any rice, which shall have been imported into any port of this kingdom, not herein-before specially named, and shall have been warehoused upon the importer's bond, in manner aforesaid, shall, within the time hereinbefore-mentioned, be taken out of the warehouse wherein it shall have been so secured, to be exported directly from thence, the bond entered into for the payment of the said duties thereon shall be discharged and cancelled by debenture or debentures, made out and passed in the usual manner, for the quantity or quantities of rice duly exported; and if any rice imported into any port of this kingdom, not herein-before specially named, and warehoused in manner aforesaid, shall be taken out of any such warehouse for home consumption, the remainder of the duties due and payable by law, and also, when imported in *American* ships, the countervailing duty by this act imposed, shall previously to its being taken out of such warehouse, be paid to the collector of his Majesty's customs at the port where such rice shall be so warehoused: provided, That if any rice warehoused under the authority of this act shall remain in such warehouse beyond the period of eighteen months, upon which the full duties due and payable by law shall not have been paid, then in such case the same shall and may be sold for the duties, in like manner, and under the same rules, regulations, and restrictions as any other goods are now directed by law to be sold for the duties, and the produce applied in like manner as is directed by an act, passed in the twelfth year of the reign of her late majesty Queen Anne, intituled, *An act for encouraging the tobacco trade.*

VIII. Provided always, and be it further enacted, That nothing herein contained shall be construed to prevent the importation of rice and other articles, without payment of any duty whatever, by virtue of an act, passed in the present session of parliament, intituled, *An act to prohibit the exportation of corn, meal, flour, &c. potatoes, and to permit the importation of corn and other articles of provision, for a limited time, in any ships whatever, without payment of duty, and in the manner in the said act mentioned, during the continuance thereof.*

IX. And be it further enacted, That all goods, wares, and merchandize, so imported from the united states of *America*, shall,

shall, upon the exportation thereof to any foreign country, be entitled to the same drawbacks as are or may hereafter be by law allowed upon the exportation of goods, wares, and merchandize of the like denomination and description, when exported to any foreign country; and that there shall be allowed and paid the same drawbacks and bounties on goods, wares, and merchandize, exported from this kingdom to the territories of the said united states, or any of them, as are or may hereafter be allowed by law upon the exportation of goods, wares, or merchandize of the like denomination or description, to any of the islands, plantations, or colonies, belonging to the crown of Great Britain in America.

X. And be it further enacted, That there shall be allowed and paid the same drawbacks upon the exportation of any sort of foreign hemp or foreign iron, exported from this kingdom to any British colony or plantation in America, and to the territories of the united states of America, or any of them, as are or may hereafter be allowed by law, upon the exportation of the like sort of hemp or iron to other foreign parts.

XI. And whereas, by the said fifteenth article of the treaty before mentioned, the British government reserves to itself the right of imposing such duty as may be adequate to counteract the difference of duty now payable on the importation of European and Asiatic goods, when imported into the united states in British or in American vessels, be it therefore enacted by the authority aforesaid, That From Jan. 5, 1798, certain additional duties to be paid on importation of goods from the American states in American vessels, is required, the following additional duties of customs; that is to say, On the importation of any such goods, wares, and merchandize as aforesaid (except tobacco and other articles, for which provision is herein-after made), an additional duty, at and after the rate of ten pounds per centum on the produce and amount of the several duties of customs due and payable by law on the importation into this kingdom of the like goods or merchandize, from any of the said united states, in British-built ships or vessels; on the importation of any such pig iron, bar iron, pot ash, and pearl ash, in manner aforesaid, an additional duty, at and after the rate of ten pounds per centum on the produce and amount of the several duties of customs due and payable by law on the importation into this kingdom of any such goods from any British colony or plantation in America, when not accompanied with the certificates required by law, on the importation, in manner aforesaid, of any such pitch, tar, turpentine, rosin, mahogany, masts, yards, and bowsprits, and unmanufactured goods and merchandize as aforesaid, (wood, staves, and tobacco excepted),

(excepted), an additional duty at and after the rate of ten pounds *per centum* on the produce and amount of the several duties of customs due and payable by law on the importation of any such goods into this kingdom from any *British* colony or plantation in *America*; on the importation, in manner aforesaid, of any such unmanufactured wood and staves an additional duty, at and after the rate of ten pounds *per centum* on the produce and amount of the several duties of customs due and payable by law on the importation of any such goods into this kingdom from any part of *Europe*, not within his Majesty's dominions, in *British*-built ships or vessels; on the importation, in manner aforesaid, of any oil made from fish, or creatures living in the sea, and blubber, whale fins, and spermaceti, being the produce of the fisheries carried on by the people of the said united states, and imported directly from thence into this kingdom in *American* ships or vessels, owned and navigated as by this act is required, an additional duty, at and after the rate of ten pounds *per centum* on the produce and amount of the several duties of customs due and payable by law on the importation of any such goods into this kingdom from countries not under the dominion of his Majesty; on the importation, in manner aforesaid, of any such tobacco so imported, an additional duty of customs, at and after the rate of one shilling and sixpence for every hundred pounds weight of such tobacco.

The additional duty of 10l. per cent. not to extend to the duties of 5l. and 10l. per cent.
granted by 37
Geo. 3. c. 15.

XII. Provided always, That nothing in this act contained shall extend, or be construed to extend, to charge or impose the duty of ten pounds *per centum* by this act imposed on certain goods and merchandize imported into this kingdom from the laid united states in *American* ships, on the produce or amount of the respective duties of five pounds *per centum*, and of ten pounds *per centum*, granted to his Majesty by an act, made in this present session of parliament, intituled, *An act for granting to his Majesty certain duties of customs on goods, wares, and merchandize, imported into, exported from, or brought and carried coastwise within Great Britain, except wine, and except coals when brought or carried coastwise; and for applying the money to arise by virtue of an act, passed in the last session of parliament, intituled, "An act for reducing of the drawbacks and bounties now allowed on the exportation of sugar, towards defraying the increased charge occasioned by any loan granted, or stock created, by any act or acts passed in the last session of parliament."*

If goods be permitted to be warehoused without payment of duty, the additional duty not to be payable till taken out for home consumption.

Act not to alter duties

XIII. Provided always, That if any goods or merchandize so imported from the united states of *America* shall be permitted, by virtue of any act, or acts of parliament in force at the time of such importation, to be secured in warehouses, without the payment of the duties due on the importation thereof, then and in such case the additional duties of customs, by this act imposed, shall not be payable unless and until such goods shall be taken out of such warehouse for the purpose of being used or consumed in this kingdom.

XIV. Provided always, That nothing in this act contained shall extend, or be construed to extend, to repeal or anywise alter the

the duties of package, scavage, balliage, or portage, or any other duties payable to the mayor and commonalty and citizens of the city of London, or to the lord mayor of the said city for the time being, or to any other city or town corporate, within the kingdom of Great Britain, or to repeal or anywise alter any special privilege or exemption to which any person or persons, bodies politick or corporate, is or are now entitled by law, but the same shall be continued as heretofore.

XV. And be it further enacted, That such of the duties of Duties to be customs and excise, by this act imposed, as shall arise in that part of Great Britain called England, shall be under the management of the respective commissioners of the customs and excise in England for the time being, and such thereof as shall arise in that part of Great Britain called Scotland shall be under the management of the respective commissioners of the customs and excise in Scotland for the time being.

XVI. And be it further enacted by the authority aforesaid, That the duties of customs and excise, and the drawbacks of the duties of customs and excise upon, for, or in respect of the several goods, wares, or merchandize, by this act imposed and allowed, shall and may be respectively managed, ascertained, raised, levied, collected, answered, paid, recovered, and allowed, in such and the like manner, and in or by any or either of the means, ways, or methods, by which the former duties of customs and excise, and drawbacks of duties of customs and excise, upon goods, wares, or merchandize in general, and also by any or either of the special means, ways, or methods respectively, by which the former duties of customs and excise, upon goods, wares, or merchandize, of the same sorts or kinds respectively, were or might be managed, ascertained, levied, raised, collected, answered, paid, recovered, and allowed, and the goods, wares, or merchandize, so by this act respectively made liable to the payment of, or chargeable with duties of customs and excise, or so entitled to drawback of duties of customs and excise, upon the importation thereof into, or exportation thereof from Great Britain, or on any other account whatever, shall be, and the same are hereby made subject and liable to all and every the conditions, regulations, rules, restrictions, and forfeitures, to which goods, wares, or merchandize in general, and also all and every the special conditions, rules, restrictions, regulations, and forfeitures respectively, to which the like goods, wares, or merchandize respectively were subject and liable by any act or acts of parliament in force on and immediately before the passing of this act respecting the revenues of customs and excise, except where any alteration is expressly made by this act; and all and every pain, penalty, fine, or forfeiture of any nature or kind whatever for any offence whatever committed against or in breach of any act or acts of parliament in force, on and immediately before the passing of this act made for securing the revenue of customs and excise, or for the regulation or improvement thereof, and the several clauses, powers, and directions therein contained (unless where expressly altered

Anno regni tricesimo septimo GEORGII III. c. 97. [1796.]
altered by this act) shall and are hereby directed and declared to extend to, and shall be respectively applied, practised, and put in execution, for and in respect of the several duties of customs and excise, and drawbacks of duties of customs and excise, hereby charged and allowed, in as full and ample manner, to all intents and purposes whatever, as if all and every the said acts, clauses, provisions, powers, directions, fines, pains, penalties, or forfeitures, were particularly repeated and re-enacted in the body of this act.

XVII. And whereas, by the said fifteenth article of the treaty beforementioned, it is further agreed, that the British government does reserve to itself the right of imposing on American vessels entering into the British ports in Europe, a tonnage duty equal to that which shall be payable by British vessels in the ports of America: and whereas it is thought expedient for the present to exercise the power reserved in the said article so far only as relates to imposing a tonnage duty on American ships entering the ports of his Majesty's dominions in Europe, equal to the excess of the duty payable in the ports of the united states by British ships, beyond that which is payable by American ships entering the same ports; be it therefore enacted, That, from and after the fifth day of January one thousand seven hundred and ninety-eight, there shall be raised, levied, collected, and paid unto and for the use of his Majesty, his heirs and successors, a tonnage duty, at and after the rate of two shillings of good and lawful money of Great Britain, for each and every ton burthen of every ship or vessel belonging to the inhabitants of the united states of America, coming or arriving within the limits of any port of Great Britain, and that the tonnage of every such ship or vessel shall in case of any doubt or dispute as to the same, be ascertained by admeasurement, in the mode and manner directed by an act passed in the twenty-sixth year of his present Majesty's reign, intituled, *An act for the further increase and encouragement of shipping and navigation.*

XVIII. And be it further enacted by the authority aforesaid, Officers of the customs may detain vessels, liable to the duty, and if not paid in three months they may be sold, That it shall and may be lawful to and for any officer or officers of his Majesty's customs to stop and detain every ship or vessel liable to the payment of the said duty, until the said duty is paid as aforesaid; and in case payment thereof shall not be made for the space of three calender months after the arrival of such ship or vessel at any port in this kingdom, it shall and may be lawful to and for the commissioners of his Majesty's customs in England and Scotland respectively, or any three or more of them, to cause such ship or vessel, and her masts, apparel, and furniture, to be sold publickly to the best bidder, and the produce thereof to be applied, first, to the charges that shall arise by such detention and sale, next, to the said duty imposed by this act, and the overplus to be paid to the proprietor of such ship or vessel, or other person duly authorised by such proprietor to receive the same.

XIX. And be it further enacted by the authority aforesaid, Tonnage duty to be paid to the officer at the port, &c. That the tonnage duty hereby imposed shall be paid into the hands of the proper officer of his Majesty's customs, at the respective ports or places where such duty shall become due and payable, and

and such duty shall be under the management of the commissioners of his Majesty's customs in England and Scotland respectively.

XX. And to the intent that the said duty may be answered and paid, be it further enacted by the authority aforesaid, That no officer to officer of his Majesty's customs whatever, or his deputy or clerk, at any of the said ports or places in Great Britain where such duty shall become due and payable, shall, from and after the said fifth day of January one thousand seven hundred and ninety-eight, take or receive any entry outwards, cocquet, or report outwards, for any ship or vessel liable or subject to the said duty, nor shall such ship or vessel be suffered or permitted to depart from any such port or place, until the said duty shall be paid, pursuant to the directions of this act, to the respective collectors or other principal officers of his Majesty's customs, authorised to receive the same, and until the respective master or owner of any such ship or vessel, subject to the payment of such duty, shall shew to such respective officer a receipt for the same.

XXI. And be it further enacted, That all the monies from time to time arising by the several new and additional duties by this act imposed as aforesaid, (the necessary charges of raising and accounting for the same respectively excepted), shall, from time to time, be paid into the receipt of his Majesty's exchequer at Westminster, and the said money so paid in as aforesaid shall be carried to and made part of the consolidated fund.

XXII. And whereas, by the thirteenth article of the said treaty of amity, commerce, and navigation, between his Britannic Majesty and the united states of America, it is, among other things, provided, that the vessels belonging to the citizens of the united states of America shall be admitted and hospitably received in all the sea ports and harbours of the British territories in the East Indies, and that the citizens of the said united states may freely carry on a trade between the said territories and the said united states in all articles of which the exportation or importation respectively, to or from the said territories, shall not be entirely prohibited; and it is further provided, That the said trade shall be carried on under the regulations contained in the said article; and it is expressly agreed that the vessels of the united states shall not carry any of the articles exported by them from the said British territories to any port or place except to some port or place in America where the same shall be unladen, and that such regulations shall be adopted by both parties, as shall from time to time be found necessary to enforce the due and faithful observance of the above recited stipulation; be it therefore enacted, That it shall and may be law- ful for the ships belonging to the citizens of the united states to carry on the said trade to the British territories in the East Indies, and to import into, and export from the said territories, all articles, of which the importation or exportation respectively, to or from the said territories, shall not be entirely prohibited, in the manner, and with the privileges and advantages, and subject to the restrictions and regulations contained and expressed in the said thirteenth article of the said treaty of amity, commerce, and navigation,

The united states may trade to the British territories in the East Indies, agreeably to the article 13 of the treaty.

Anno regni tricesimo septimo GEORGII III. c. 97. [1796.]
 vigation, any law to the contrary notwithstanding, and particularly notwithstanding any provisions contained in an act, passed in the twelfth year of the reign of his late majesty King Charles the Second, intituled, *An act for the encouraging and increasing of shipping and navigation.*

Acts done by the subjects of the united states or of his Majesty, in pursuance of the said 13th article, since the final ratification of the treaty, to be lawful.

XXIII. And be it further enacted, That all acts done, or engagements entered into by the subjects of the united states, or of his Majesty, in pursuance of the said thirteenth article, shall be deemed and taken to be lawfully done, provided the same shall have been done or entered into since the final ratification of the said treaty, and provided the same might have been done and entered into agreeably to the said thirteenth article, any law to the contrary notwithstanding, and the same shall be deemed and taken to be, in all respects, and to all intents and purposes whatsoever, as if the same had been done, entered into, or had taken place subsequent to the passing of this act, any prohibition to the contrary notwithstanding, and no penalty, forfeiture or disability, of any kind or nature whatsoever, shall be incurred or sued for, for or on account of any such acts or engagements.

XXIV. And whereas, by the ninth article of the said treaty, it was agreed that British subjects, who then held lands in the territories of the said united states, and American citizens, who then held lands in the dominions of his Majesty, should continue to hold them according to the nature and tenure of their respective states and titles therein, and might grant, sell, or devise the same to whom they should please, in like manner as if they were natives, and that neither they nor their heirs or assigns should, so far as might respect the said lands and the legal remedies incident thereto, be regarded as aliens; be it therefore enacted by the authority aforesaid, That all lands, tenements, and hereditaments, in the kingdom of Great Britain, or the territories and dependencies thereto belonging, which on the said twenty-eighth day of October one thousand seven hundred and ninety-five (being the day of the exchange of the ratification of the said treaty between his Majesty and the said united states) were held by American citizens, shall be held and enjoyed, granted, sold, devised, according to the stipulations and agreements contained in the said article; any law, custom, or usage, to the contrary notwithstanding.

All lands, &c. held in Great Britain or its dependencies by American citizens on Oct. 28, 1795, to be enjoyed agreeably to article nine of the treaty.

Act not to give any right, except such as may be necessary for the performance of the stipulations of the said article.

XXV. Provided always, That nothing herein contained shall extend, or be construed to extend, to give any right, title, or privilege to any person, not being a natural-born subject of this realm, which such person would not have been entitled to if this act had not been made, other than and except such rights, titles, and privileges as shall be necessary for the true and faithful performance of the stipulations in the said article contained, according to the true intent and meaning thereof, or to give to any person, not being either a natural-born subject of this realm, or a citizen of the said united states, any right, title, or privilege, to which such person would not have been entitled if this act had not been made.

XXVI. And whereas by the said treaty it is further agreed, that

his Majesty and the united states, on mutual requisitions by them respectively, or by their respective ministers or officers authorised to make the same, will deliver up to justice all persons who being charged with murder or forgery committed within the jurisdiction of either, shall seek an asylum within any of the countries of the other, provided that this shall only be done on such evidence of criminality as, according to the laws of the place where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial, if the offence had there been committed, and that the expence of such apprehension and delivery shall be borne and defrayed by those who make the requisition, and receive the fugitive; be it enacted by the authority aforesaid,

That in case requisition shall at any time be made, in pursuance of and according to the said article, for the delivery of any person charged with murder or forgery, committed within the jurisdiction of the said united states, it shall be lawful for one of his Majesty's principal secretaries of state, by warrant under his hand and seal, to signify that such requisition has been so made, and to require all justices of the peace, and other magistrates and officers of justice, to govern themselves accordingly, and to be aiding and assisting in apprehending the person so charged, and committing such person, for the purpose of being delivered up to justice, according to the provisions in the said article, and thereupon it shall be lawful for any justice of the peace, or other person having power to commit for trial persons charged with offences against the laws of this kingdom, to examine upon oath any persons or person touching the truth of such charge, and upon such evidence as, according to the laws of this kingdom, would justify the apprehension and commitment for trial of the person so charged, if the offence wherewith he shall be so charged had been committed in this kingdom, it shall be lawful for such justice of the peace, or other person having power to commit as aforesaid, to commit the person so charged to his Majesty's goal, there to remain, until delivered pursuant to such requisition, as aforesaid, and thereupon it shall be lawful for one of his Majesty's secretaries of state, by warrant under his hand and seal, to order the person so committed to be delivered to such person or persons as shall be authorised by the said united states to receive the person so committed, and convey such person to the dominions of the said united states, to be tried for the offence with which such person shall be so charged; and if the person so charged shall escape out of any custody to which he shall be committed as aforesaid, it shall be lawful to retake such person in the same manner as any person charged with any offence against the laws of this kingdom may be retaken upon an escape, so that such person so charged as aforesaid may be eventually delivered up to justice, according to the true intent and meaning of the said article of the said treaty.

XXVII. And be it further enacted, That this act shall continue in force so long as the said treaty between his Majesty and the united states of America shall continue in force, and no longer. Continuance of act.

Regulations for carrying into effect an agreement in the treaty mutually to deliver up persons charged with murder or forgery.

C A P. XCVIII.

An act to amend and render more effectual an act, made in the thirty-first year of the reign of his late majesty King George the Second, intituled, An act for the due making of bread, and to regulate the price and assize thereof, and to punish persons who shall adulterate meal, flour, or bread, so far as the same relates to the assize and making of bread to be sold in the city of London, and the liberties thereof, and within the weekly bills of mortality, and within ten miles of the Royal Exchange.—[July 4, 1797.]

Preamble.

Recital of act
31 Geo. 2.
c. 29.

WHEREAS several of the provisions and regulations in the statute made in the thirty-first year of the reign of his late majesty King George the Second, intituled, An act for the due making of bread, and to regulate the price and assize thereof, and to punish persons who shall adulterate meal, flour, or bread, have been found defective; and it is expedient that other provisions and regulations should be made, and further powers granted, for carrying the purposes of the said act into execution, so far as the same relate to the assize and making of bread to be sold in the city of London, and the liberties thereof, and within the weekly bills of mortality, and within ten miles of the Royal Exchange: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That each and every corn meter of the city of London, who is or hereafter shall be employed in working, or measuring and delivering out wheat, within the said city, or the liberties thereof, or the weekly bills of mortality, or within ten miles of the Royal Exchange, shall and is hereby required weekly, before the hour of twelve of the clock at noon of every Monday, to enter, or cause to be entered, in a book to be for that purpose provided by the mayor and commonalty and citizens of the city of London, and kept at the corn meter's office of the said city, according to the form herein-after contained in that behalf, a true and particular account, in writing, of all the wheat worked and delivered by each and every such corn meter, in the course of the preceding week, from ships or vessels in the river Thames, or out of warehouses or other places within the said city, or liberties thereof, or weekly bills of mortality, or within ten miles of the Royal Exchange, to the respective buyers of such wheat or their respective servants or agents, specifying from what vessels, warehouses or other places the wheat shall be worked, the names and additions of the respective sellers and buyers thereof, the respective quantities, the corn meter's own name, and the names of the respective lightermen or other persons to whom the wheat shall be delivered; and that the said returns or accounts, so to be entered in the said book as before-mentioned, shall be entered, made, and kept in the following form, or to the like effect; (that is to say),

Corn meters
to enter in a
book at the
corn meter's
office every
Monday
accounts of
the wheat
worked and
delivered by
them respec-
tively in the
preceding
week.

Corn

Com meter's office, *London*, one thousand seven hundred and ninety-seven.

ENTRY of the several quantities of WHEAT worked by the Form of com sworn corn meters of the city of *London* in six days; that is to ^{meter's ca-}
say, from *Monday* to *Saturday* . both inclusive.

Day of the month.	From where worked.	Seller's name.	Buyer's name.	Quantities of wheat.	Meter's name.	Weighter man, or to whom delivered.
	Whether out of vessel, craft, granary, warehouse or wharf, mentioning their respective names, (if any), and the names of the masters, owners, or occupiers thereof respectively.			Quarter. Bushel.		

II. And be it further enacted, That weekly and every week, Every Monday before three of the clock in the afternoon of every *Monday*, a correct return or account of wheat; which shall have been so entered and made in the said book as aforesaid, for the week next but one preceding such *Monday*, shall be prepared in writing, according to the form next herein-after following, and certified on oath, and delivered to the mayor of the city of *London*, next but one or left at the cocket office in the mansion house in the said city, preceding such with the proper officer there, by the meal weighers of the said city *Monday*.
 of *London*, or by such other persons as the court of mayor and aldermen of the said city shall from time to time direct or appoint, and shall also, before three of the clock in the afternoon on every *Monday* as aforesaid, be entered by such meal weighers, or other persons to be appointed as aforesaid, in writing under their hands, in some book to be for that purpose provided by the mayor and commonalty and citizens of the city of *London*, and kept at the towne clerk's office in the said city; and that every such return, with the said additions thereto, so to be prepared and delivered, or left as aforesaid, shall be in the following form, or to the like effect; (that is to say),

Form of the
meal weigh-
er's returns of
wheat.

A correct RETURN from the corn meter's office, of the quantity of WHEAT worked by the sworn corn meters of the city of *London*, from *Monday* to *Saturday* following, both inclusive.

Day of the month.	Seller's name.	Buyer's name.	Quantities of wheat.	Ligherman's name, or to whom delivered.

Corn factors,
&c. to deliver,
on demand,
true accounts
in writing,
of the quan-
tities and
prices, &c.
of the wheat
sold and deli-
vered by them
respectively.

III. And be it also enacted, That each and every corn factor and other person, who is or hereafter shall be a seller of wheat within the said city, or the liberties thereof, or the weekly bills of mortality, or within ten miles of the *Royal Exchange*, shall and is hereby required to deliver, or cause to be delivered, upon demand, weekly, before three of the clock in the afternoon of every *Friday*, to the said meal weighers, or other persons to be appointed as aforesaid, or any of them, a true account in writing, signed by himself, or his known agent, specifying, according to the best of his knowledge and belief, the quantities and prices of all the wheat sold and delivered by or for him from the *Monday* to the *Saturday*, both inclusive, in the week next preceding such *Friday*, with the names and occupations of the respective buyers, and the apparent purposes for which the wheat shall have been sold.

A return to
be made by
the meal
weighers
every Monday,
of the quan-
tities and
prices of all
such wheat
as shall be
mentioned
in the said ac-
counts, for the
week next
but one pre-
ceding, and
the average
price thereof.

IV. And be it further enacted, That weekly, before three of the clock in the afternoon of every *Monday*, a general return or account of the quantities and prices of all such wheat as shall have been sold and delivered as aforesaid, within the said city and liberties and bills of mortality, or within ten miles of the *Royal Exchange*, in the course of the preceding week but one, and mentioned in the said accounts, together with the average price of such wheat, shall be prepared from and by means of the same accounts, and in such manner and form as the said court of mayor and aldermen shall from time to time direct, by the meal weighers of the city of *London*, or by such other persons as the said court of mayor and aldermen shall from time to time appoint; and shall also, before five of the clock in the afternoon of every *Monday* as aforesaid, be entered by such meal weighers, or other persons to be appointed as aforesaid, in writing under their

their hands, in some book to be for that purpose provided by the mayor and commonalty, and citizens of the said city of *London*, and kept at the town clerk's office in the said city.

V. And be it further enacted, That every corn factor or other Corn factors, person, from whom any such account of wheat, as last before &c. to take mentioned, is by this act required and directed to be delivered to the said meal weighers, or other persons, to be appointed as aforesaid, shall, within one calendar month next after the passing of this act, or within one calendar month from the time he shall begin to deal by commission in the sale of wheat, take the following oath, or (being one of the people called *Quakers*) affirm, as herein-after mentioned; (that is to say),

I A. B. do swear [or, affirm], That the accounts which I shall hereafter deliver or cause to be delivered to the meal weighers of the city of London, or to such other persons as the court of mayor and aldermen of the said city shall appoint to receive the same, of and concerning the quantities and prices of wheat which henceforward shall be by or for me sold and delivered, shall, to the best of my knowledge and belief, and as far as the sales and complete deliveries will allow, contain the whole quantity, and no more, of the wheat bona fide sold and delivered by or for me, within the period to which such accounts shall respectively refer, with the names and occupations of the buyers, and with the prices thereof respectively, and shall be, to the best of my judgement, conformable in all other respects to the directions and true intent and meaning of an act, passed in the thirty-seventh year of the reign of his present Majesty, intituled, An act to amend and render more effectual an act, made in the thirty-first year of the reign of his late majesty King George the Second, intituled, 'An act for the due making of bread, and to regulate the price and affize thereof, and to punish persons who shall adulterate meal, flour, or bread,' so far as the same relates to the affize and making of bread to be sold in the city of London, and the liberties thereof, and within the weekly bills of mortality, and within ten miles of the Royal Exchange.'

Which oath or affirmation the lord mayor of the city of *London* for the time being is hereby empowered and required to administer, and to grant a certificate thereof, to be registered in the town clerk's office of the said city; and every such oath or affirmation shall be so administered, certified, and registered, without any fee or reward to be demanded or paid for the same; and in case any person shall carry on the trade and business of a corn factor without taking the said oath, or affirming as aforesaid, conformably to the directions of this act, every such person so offending shall, on being convicted of such offence, forfeit and pay the sum of fifty pound.

VI. And be it further enacted, That every baker, and other person making or who shall make bread for sale, within the city of *London*, or the liberties thereof, or the weekly bills of mortality, leave at the coquet office, every Monday, accounts, in

Penalty on carrying on the business of a corn factor, with such oath, &c. sol.

writing, of all such meal and flour made of wheat, as shall have been bought by them respectively, in the week immediately preceding.

Anno regni tricesimo septimo GEORGII III. c. 98. [1796.]
 lity, or within ten miles of the *Royal Exchange*, shall and is hereby required to prepare and leave, or cause to be left, weekly, before the hour of eleven of the clock in the forenoon of every *Monday*, at the cocket office in the mansion house aforesaid, with the proper officer there, a true and particular account in writing under his hand, according to the form herein-after contained in that behalf, of all such meal and flour for the purpose of making wheaten bread, as shall have been bought by such baker or other person in the course of the week next preceding such *Monday*, and that every such account hereby required to be made by any such baker, or other person making bread for sale, within the said city of *London*, or liberties thereof, or weekly bills of mortality, or within ten miles of the *Royal Exchange*, shall specify the names of the respective sellers of such meal and flour made of wheat, the respective quantities and sorts thereof, and the several and respective prices at which the same shall have been actually and *bona fide* sold, and shall be of the following form, or to the like effect; (that is to say),

Form of baker's weekly accounts.

An ACCOUNT of all the MEAL and FLOUR (made of WHEAT) bought by A. B. of in the parish of from *Monday* to *Saturday* both inclusive, for the purpose of making wheaten bread, or fit for the same.

Day of the month.	Seller's name.	Number of sacks.	Sorts of meal and flour.	To what purpose applicable.	Prices per sack.	TOTAL.

At the sale, or upon delivery of meal and flour, a bill of parcels thereof to be delivered therewith.

VII. And, for better enabling the said bakers or other persons to prepare such accounts of meal and flour as before directed, be it also enacted, That at the sale, or upon every delivery of meal or flour made of wheat to any baker or other person making, or who shall make, bread for sale, within the said city, or the liberties thereof, or the weekly bills of mortality, or within ten miles of the *Royal Exchange*, there shall also be delivered therewith a true and perfect bill of parcels, signed by the seller or sellers of such meal or flour, or his or their known agent or agents setting

setting forth the names of the seller or sellers, and buyer, of the meal or flour so delivered, with the real quantities and prices thereof, and also the day of the month on which the same shall be delivered; and in default thereof every person, being a seller ~~Seller~~ and of such meal or flour, or of any part thereof, and not delivering, ~~buyer, in~~ or causing to be delivered therewith, such true and perfect bill of ~~default thereof,~~ parcels as aforesaid, shall, for every such offence, upon being ~~to forfeit~~ 40s. convicted thereof, forfeit and pay the sum of forty shillings; and every person being a buyer of such meal or flour, or of any part thereof, and receiving or accepting the same without such true and perfect bill of parcels as aforesaid, shall, for every such offence, upon being convicted thereof, forfeit and pay the sum of forty shillings.

VIII. And whereas it has frequently happened that large quantities of meal and flour have been delivered to buyers thereof, without any price having been fixed or agreed on for the same at the time of such delivery, and sometimes it has been agreed that the prices of meal or flour should, after delivery thereof to the buyer, be fixed according to the price of meal or flour in some future week, and inasmuch as by such means this act might be evaded, or the execution thereof rendered

difficult or imperfect, be it therefore enacted, That the prices of all the meal and flour made of wheat, which shall henceforward be sold within the city of London, or the liberties thereof, or the weekly bills of mortality, or within ten miles of the Royal Exchange, shall be agreed on and absolutely fixed at the time of sale, and before sale, and before the delivery thereof, and the price or prices of any such meal or flour as aforesaid, which shall hereafter be delivered to any buyer or other person, within the said city or liberties, or weekly bills of mortality, or within ten miles of the Royal Exchange, shall not, on any account or pretence whatsoever, be regulated by, or made to depend on the price which meal or flour shall sell for at any time or times subsequent to such delivery; and in case any person or persons shall sell or buy, and any person agree to sell or buy, within the said city or liberties, or weekly bills of mortality, or within ten miles of the Royal Exchange, any meal or flour made of wheat, contrary to the true intent and meaning of the provisions and restrictions last herein-before contained, he or they so offending shall, for every such offence, upon being convicted thereof, forfeit and pay the sum of twenty pounds.

IX. And be it further enacted, That every baker, or other person making or who shall make bread for sale, within the city of London, or the liberties thereof, or within the weekly bills of mortality, or within ten miles of the Royal Exchange, shall, within one calendar month next after the passing of this act, or within one calendar month from the time when he shall begin to make bread for sale, within the limits aforesaid, take the following oath, or (being one of the people called Quakers) affirm as herein-after mentioned; (that is to say),

IA. B. do swear [or, affirm], That the accounts which I shall hereafter leave or cause to be left at the socket office in the mansion house, in the city of London, of and concerning the meal or flour (made of wheat) which henceforward shall be bought by or for me, shall, to the best of my knowledge and belief, contain the whole quantity, and no more, of the meal or flour (made of wheat) bona fide bought by or for me, within the period to which such accounts shall respectively refer, with the names of the sellers, or persons of whom the same shall be bought, and with the prices respectively, and shall be, to the best of my judgement, conformable in all other respects to the directions of an act, passed in the thirty-seventh year of the reign of his present Majesty, intituled, *An act to amend and render more effectual an act, made in the thirty-first year of the reign of his late majesty King George the Second, intituled, "An act for the due making of bread, and to regulate the price and affize thereof, and to punish persons who shall adulterate meal, flour, or bread," so far as the same relates to the affize and making of bread to be sold in the city of London, and the liberties thereof, and within the weekly bills of mortality, and within ten miles of the Royal Exchange.*

Penalty on any person making bread for sale without taking such oath, &c. sc. Which oath (or affirmation) the lord mayor of the city of London for the time being (whether such baker shall reside within the said lord mayor's jurisdiction or not) or any other justice of the peace within whose jurisdiction such baker shall reside, is hereby authorised and required to administer, upon being duly applied to for that purpose, and to grant a certificate thereof, to be registered in the town clerk's office of the said city; and every such oath or affirmation shall be so administered, certified, and registered, without any fee or reward to be demanded or paid for the same; and in case any person shall carry on the trade and business of a baker, or shall make bread for sale, within the said city, or the liberties thereof, or within the weekly bills of mortality, or within ten miles of the Royal Exchange, without taking the said oath, or affirming as aforesaid, conformably to the directions of this act, every such person so offending shall, on being convicted of such offence, forfeit and pay the sum of five pounds.

A return to be made by the meal weighers every Monday, of the quantities, sorts, and prices, of all such meal and flour made of wheat, as shall be mentioned in the bakers accounts for the preceding week; and the average price thereof.

X. And be it further enacted, That weekly, before three of the clock in the afternoon of every Monday, a general return or account of the quantities, sorts, and prices, of all such meal and flour made of wheat, as shall have been bought by bakers and other persons making bread for sale, within the said city and liberties, and bills of mortality, or within ten miles of the Royal Exchange, in the course of the preceding week, and mentioned in the said accounts of meal and flour for that week, together with the average price of such meal or flour, shall be prepared from and by means of the same accounts, in such manner and form as the said court of mayor and aldermen shall from time to time direct, by the meal weighers of the city of London, or by such other persons as the said court of mayor and aldermen shall from time to time appoint; and shall also, before five of the clock

clock in the afternoon of every *Munday* as aforesaid, be entered by such meal weighers, or other persons to be appointed as aforesaid, in writing under their hands, in some book to be for that purpose provided by the mayor and commonalty and citizens of the said city of London, and kept at the town clerk's office in the said city.

XI. And, for the more effectually enabling the said meal weighers or other persons to prepare and render correct such returns or accounts as aforesaid of wheat, and of meal and flour made of wheat, according to the true intent and meaning of this act; be it also enacted, That Every buyer every buyer or seller of, or dealer in wheat, or meal or flour or seller of made of wheat, within the city of London or the liberties thereof, wheat, or of or within the weekly bills of mortality, or within ten miles of made of the Royal Exchange, shall and is hereby required, on reasonable wheat, upon request to him or her made by any one or more of the meal request, by weighers of the city of London, or of such other persons who in the meal purfiance of this act shall be appointed as aforesaid, to return and &c. to disclose certify, as hereby is directed, the quantities and prices of wheat, thetrue prices, or of meal or flour made of wheat, to disclose and make known &c. to such meal weighers, or one of them, or other persons who shall be so appointed, and who shall request the same, the true and real prices which any quantities and sorts of wheat, or of meal or flour made of wheat, which shall have been bought or sold within the said city, or liberties thereof, or weekly bills of mortality, or within ten miles of the Royal Exchange, at any time or times within the space of fourteen days then last past, by or for such buyer or seller of, or dealer in wheat, or meal or flour made of wheat, shall have been actually and bona fide bought or sold at, with all the several quantities and sorts thereof, and the several apparent purposes for which the same shall have been bought respectively, together with the occupations of the buyers.

XII. And be it further enacted, That it shall be lawful for the Power to the said court of mayor and aldermen, or for the lord mayor for the court of mayors time being, or for any of his Majesty's justices of the peace acting for such district, from time to time to order and direct every or any baker, or other person making or who shall make bread or aldermen, or lord mayor, to order bills of for sale, within the said city, or the liberties thereof, or the parcels of weekly bills of mortality, or within ten miles of the Royal Exchange, and to whom, or at whose house or shop any such bill of to be produced; parcels as aforesaid of meal or flour made of wheat shall have been actually delivered pursuant to this act, at any seasonable time or times, within the space of fourteen days next after such delivery, to produce, or cause to be produced, such bill of parcels to the said court, or to the said lord mayor, or to the said justices, or to the meal weighers of the said city, or any or either of them, or to such other person or persons as the said court, or the said lord mayor, shall appoint to inspect the same; and that in every and the same such case, such baker or other persons to or for whom such order are to be produced, shall he given or left, or his servants or agents, shall produce, or ingly. cause to be produced, such bill of parcels, pursuant to such order, and the true meaning of this act; and in case any such baker or other person shall not, within seven days after such order shall be case of de fault, st.

so given to, or left for him, produce, or cause to be produced such bill of parcels accordingly, he or they so offending shall, every such offence, upon being convicted thereof, forfeit and the sum of five pounds.

The weekly returns hereby directed, to be in lieu of so much only of the weekly returns required by the act 31 Geo. 2. as relates to wheat, and meal and flour made of wheat.

Directions for computing the quantities.

The assize of bread to be set every Tuesday by the court of mayor and aldermen, or if such court shall not sit, then by the lord mayor:

either from the price of wheat, or from that of flour;

XIII. And be it further enacted, That the said weekly returns or accounts of wheat, and of meal and flour made of wheat hereby directed to be made and given in as aforesaid, shall lie in lieu and stead of so much only of the weekly return or account by the said recited act directed to be given in and certified, at prices which the several kinds of grain, meal, and flour, shall for in the markets or places in *London*, where such grain, and flour shall be publickly sold, as relates to wheat, and meal and flour made of wheat; but nevertheless such last mentioned return or account of other grain than wheat, and of other meal and flour, which shall be sold in *London*, shall be no longer considered as necessary to be given in and certified under the recited act, unless the said court of mayor and aldermen, or lord mayor of the said city of *London* for the time being, shall at any time or times order the same to be given in and certified, such act directs.

XIV. And, for the more easily and effectually carrying of the same into execution, be it enacted, That in all returns to be made pursuant to the directions of this act, the quantities of corn and flour shall be computed by the bushel of eight gallons, commonly called or known by the name of *The Winchester Bushel*, and shall be computed by the sack, which shall contain five bushels, two hundred and eighty pounds weight.

XV. And be it further enacted, That weekly, on every day, being the next day after every weekly return or account of wheat for the week next but one preceding, shall be delivered, or left by the said meal weighers, or other persons as aforesaid, being also the next day after the said returns of accounts of meal and flour made of wheat for the week next preceding, shall be delivered or left by the bakers or other persons making bread for sale, within the said city, or liberties thereof, or bills of mortality, or within ten miles of the *Royal Exchange*, as before-mentioned, the assize and weight of all bread to be made of the said meal or meal of wheat, and sold or exposed to sale by any persons, within the city of *London*, and the liberties thereof, the weekly bills of mortality, and within ten miles of the *Royal Exchange*, (except as next herein-after is excepted), and the prices to be paid for the same bread respectively, shall from time to time be set by the said court of mayor and aldermen of the said city of *London*, if the said court shall then sit, and if such court shall not then sit, then by the lord mayor of the said city for the time being, either from or according to what shall, by means of the said return or account of wheat, appear to be the then average price of wheat fit for the making of wheaten bread, or from or according to what shall, by means of the said returns or accounts of flour and meal, appear to be the then average price of flour and meal fit for the making of wheaten bread, as near as possible, according

~~Directed to~~
you of King George the Second:

[The Table to face this page.]

e of FLOUR.

T A B L E

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not then fit, then by the lord mayor of the said city or town, or by the sheriff or other person being, either from or according to what shall, by the said lord mayor or sheriff, or by the said other person, laid return or account of wheat, appear to be the then average price of wheat fit for the making of wheaten bread, or according to what shall, by means of the said returns or accounts of flour and meal, appear to be the then average price of flour and meal fit for the making of wheaten bread, as near as possible according

1796.] Anno regni tricesimo septimo GEORGI III. c. 98. 341

according to the table herein-after contained; and that the assizes and to take place upon the Thursday following, and within ten miles of the Royal Exchange, (the city of Westminster, and liberties thereof, the borough of Southwark, and the weekly bills of mortality, in the county of Surrey, excepted), until a new or other assize of bread, in London shall be set; and that after the fixing or setting of every such assize of bread by the said court of mayor and aldermen, or by the lord mayor of the said city for the time being, when the said court

shall not sit, the assize so from time to time set shall, with all convenient speed after the setting thereof, be made publick in (Westminster, and Southwark, and the bills of mortality in Surrey excepted), and such other persons as the said court of mayor and aldermen shall from time to be published forthwith appoint to return the quantities and prices of wheat, and with meal and flour made of wheat, shall leave in writing, at the mon hall of the company of bakers, in the said city of London, Before any copy of the then last returns of the quantities and prices of wheat, and of meal and flour made of wheat, which they shall receive and enter in such book or books to be provided and kept in the town clerk's office as aforesaid, some time of the same day on which such meal weighers or other persons shall make such return and entry as aforesaid, to the intent that the said company of bakers may, the morning of the next day after every such return and entry shall be made, and before any assize shall be set, in time to time have an opportunity to offer to the said court of mayor and aldermen, if such court shall then sit, and if such court shall not then sit, to the lord mayor of the said city for the time being, all such objections as the said company of bakers shall have and think fit to offer against any advance or reduction made that day made, in London, in the price of bread.

XVI. Provided always, and be it further enacted, That from time to time, when and so often as the said court of mayor and aldermen, or the lord mayor of the said city for the time being, shall set the assize of bread in execution of this act, the assize and weight of the bread to which such assize shall relate, and the prices to be paid for the same respectively, shall as near as can be set and ascertained according to the following table, instead of the table directed to be made use of by the said act of the thirty-first year of King George the Second:

[The Table to face this page.]

Sixpenny,
twelvepenny,
and eighteen-
penny loaves,
not to be sold
at the same
time as
pecks, half-
pecks, and
quarters.

Any corn
meter, corn
factor, baker,
meal weigh-
er, &c. who
shall neglect
his duty, &c.

to forfeit not
exceeding 10l.

Any buyer,
&c. who shall
refuse to dis-
close true
prices.

XVII. Provided always, and be it further enacted, That in any place or places within the city of *London*, or the liberties thereof, or the weekly bills of mortality, or within ten miles of the *Royal Exchange* aforesaid, where any sixpenny, twelvepenny, or eighteen-penny loaves, shall at any time be ordered or allowed to be made or sold, no peck, half peck, or quatern loafes, shall be permitted or allowed at the same time to be there made or sold, lest any of those sorts of loaves might be sold designedly, or otherwise, for some other or others of them, to the injury of unwary people; and every person who shall offend herein shall, for every such offence, upon being convicted thereof, forfeit a sum not exceeding forty shillings, nor less than twenty shillings, as the magistrate or magistrates, justice or justices, before whom such offender shall be convicted, shall from time to time think fit.

XVIII. And be it likewise enacted, That if any corn meter of the city of *London*, or any corn factor, baker, or other person, being or who shall be a seller of wheat, or maker of bread for sale, within the city of *London*, or the liberties thereof, or the weekly bills of mortality, or within ten miles of the *Royal Exchange*, or any meal weigher of the city of *London*, or other person or persons who, in pursuance of this act, shall be appointed by the court of mayor and aldermen of the said city to certify and return the quantities and prices of wheat, or of meal and flour made of wheat, shall in anywise neglect, omit, or refuse to make, deliver, or leave any such entry, account, or return, as is by this act required or directed to be made, delivered, or left by him or them respectively, according to the true intent and meaning of this act, or shall designedly or knowingly make, deliver, or leave, or cause to be made, delivered, or left, any false entry, return, or account, as and for any such entry, return, or account, as is required by this act, or if any constable or other peace officer shall refuse or neglect to observe or obey any warrant in writing which shall be delivered to him, under the hand and seal of any magistrate or justice of the peace, or to do any other act requisite to be done by him or them for carrying this act, or any of the powers or authorities hereby given, into execution, then every person so offending in any of the premises, on being convicted of any such offence, shall forfeit and pay, for every such offence, any sum not exceeding ten pounds, as the magistrate or magistrates, justice or justices, before whom any such offender or offenders shall be convicted, shall think fit and order, everytime he or they shall so offend, and be convicted of any such offence.

XIX. And be it further enacted, That in case any buyer or seller of, or dealer in wheat, or meal or flour made of wheat, within the said city or liberties thereof, or weekly bills of mortality, or within ten miles of the *Royal Exchange*, on reasonable request to him or her made by any one or more of the meal weighers of the city of *London*, or by any one or more of such other persons who, in pursuance of this act, shall be appointed aforesaid to return and certify, as hereby is directed, the quantities and prices of wheat, or meal and flour made of wheat, shall refuse

refuse to disclose and make known to such meal weighers, or either of them, or such other person or persons who shall be so appointed, and who shall request the same, the true and real prices which any quantities and sorts of wheat, or meal or flour made of wheat, which shall have been bought or sold within the said city or liberties thereof, or weekly bills of mortality, or within ten miles of the *Royal Exchange*, at any time or times within the space of fourteen days then last past, by or for such buyer or seller of, or dealer in wheat, or meal or flour made of wheat, shall have been actually and *bona fide* bought or sold at, with all the several quantities and sorts thereof, and the several apparent purposes for which the same shall have been bought respectively, or shall knowingly give in to any such meal weigher or other person, who shall be appointed in pursuance of this act to return and certify, or receive the quantities and prices of wheat, or of meal or flour made of wheat, any false or untrue price or prices of any wheat, or of meal or flour made of wheat, bought or sold, or agreed so to be, or knowingly give any untrue account of the quantities or sorts of such wheat, or meal or flour made of wheat, or of the apparent purposes for which the same respectively shall have been bought, then and in every such case, he, she, or they so offending, on being convicted of any such offence by the oath of one or more credible witness or witnesses, or solemn affirmation of any credible witness or witnesses, being a quaker or quakers, or on the confession of the party accused, shall forfeit any sum not exceeding ten pounds, as the magistrate to forfeit not or magistrates, justice or justices, before whom any such offender or offenders shall be convicted, shall think fit and order, every time he, she, or they shall so offend, and be convicted of any such offence.

X. And be it further enacted, That if the court of mayor and aldermen of the city of *London*, or the lord mayor of the said city for the time being, shall, at any time within the space of fourteen days after any such return or account as aforesaid of wheat, or of meal or flour, shall have been made, have reason to believe that the same was not truly and *bona fide* made, then and in any such case it shall be lawful for the said court of mayor and aldermen, or the said lord mayor for the time being, or of any of his Majesty's justices of the peace acting within the limits &c. herein-before mentioned, to summon before them or him any person or persons then residing within the jurisdiction of the said court, who shall have bought or sold, or there shall be reason to believe have bought or sold, or agreed to buy or sell any wheat, or meal or flour made of wheat, within the said city, or liberties thereof, or the weekly bills of mortality, or within ten miles of the *Royal Exchange*, or who shall be thought likely to give any information concerning the premises, and to examine such person or persons respectively upon oath touching the rates and prices which the several quantities and sorts of wheat, and meal and flour made of wheat, or any of them, were then really and *bona fide* sold for, or bought at, or agreed so to be, by him, her, or

Persons forswearing themselves, subject to be prosecuted for perjury.

Bakers, &c. not to use allum in making of bread for sale,

on pain of forfeiting not exceeding 10l. nor less than 5l. or of imprisonment not exceeding six months, nor less than two.

them respectively, or by any other person or persons, at any time or times within the space of fourteen days preceding the summoning of him, her, or them so summoned respectively; and if any person or persons who shall be so summoned as aforesaid, shall neglect or refuse to appear on such summons (and proof shall be made on oath of such summons having been duly served upon him, her, or them for that purpose) or if any person or persons so summoned shall appear, and neglect or refuse to answer on oath such lawful questions touching the premises as shall be proposed to him, her, or them, by the said court of mayor and aldermen, or the said lord mayor for the time being, or by the said justice or justices, without some just or reasonable excuse, to be allowed of by such court, or lord mayor, or justice, be, she, or they so offending, on being convicted of any such offence, either by the oath of one or more credible witness or witnesses, or his, her, or their own confession, before the said court of mayor and aldermen, or before the said lord mayor for the time being, or such justice, shall, on every such conviction, forfeit and pay any sum not exceeding ten pounds, as such court, or lord mayor, or justice, shall think fit and order; and if any person who shall be so examined on oath, or in taking any other oath directed to be taken by this act, shall wilfully forswear him or herself, every such person shall be subject and liable to be prosecuted as for perjury, by indictment or information by due course of law, and if convicted shall be liable to the penalties persons convicted of wilful and corrupt perjury are subject and liable to.

XXI. And be it further enacted, That no baker or other person making or who shall make bread for sale, within the city of *London*, or the liberties thereof, or the weekly bills of mortality, or within ten miles of the *Royal Exchange*, nor any journeyman or other servant of any such baker or other person as last-mentioned, shall at any time or times hereafter, in the making of bread for sale, put any allum, or preparation or mixture in which allum shall be an ingredient, or any other preparation or mixture in lieu of allum, into the dough of such bread, or in anywise use or cause to be used any allum in the making of such bread, on any account, or under any colour or pretence whatsoever, upon pain that every such person, whether master, or journeyman, or other person, who shall knowingly offend in the premises, and shall be convicted of any such offence, either by his, her, or their own confession, or by the oath of one or more credible witness or witnesses, shall, on every such conviction, forfeit and pay any sum of money not exceeding ten pounds, nor less than five pounds, or shall, by warrant under the hand and seal or hands and seals of the magistrate or magistrates, justice or justices, before whom such offender shall be convicted, be apprehended and committed to the house of correction, or some prison of the county, city, borough, or place, where the offence shall have been committed, or the offender or offenders shall be apprehended, there to remain and be kept to hard labour for any time not exceeding six calendar months, nor less than two calendar months;

months, from the time of such commitment, as any such magistrate or magistrates, justice or justices shall think fit and order; and it shall be lawful for the magistrate or magistrates, justice or justices, before whom any such offender shall be convicted, and he and they is and are hereby required to cause the offender's name, place of abode, and offence, to be published in some newspaper which shall be printed or published in or near the city of *London*, or the liberty of *Westminster*, and to defray the expence of publishing the same out of the money to be forfeited as last-mentioned, if any shall be so forfeited, and shall be paid or recovered.

XXII. And be it further enacted, That it shall and may be law-
ful for the several wardmote inquests of the said city of *London*,
from time to time, and at all seasonable times in the day time, to
enter into any house, shop, stall, bakehouse, warehouse, outhouse,
or other place, of or belonging to any baker or seller of bread,
within their respective wards, to view, weigh, and try all or any
of the loaves of bread which shall be there exposed to or for sale,
and if any of the loaves of bread so exposed to or for sale, or
which shall be carrying or conveying to or for any dealer therein,
or consumer thereof, shall be found to be wanting, either in the
goodness of the stuff whereof the same shall be made, or to be
deficient in the due baking or working thereof, or shall be want-
ing in the due weight, (such weight to be ascertained within
twenty-four hours after such bread shall have been baked), or
shall not be truly marked according to the directions of the act
of parliament, made and passed in the third year of the reign of
his present Majesty, such wardmote inquest, or any four or more
of the persons composing the same, within their respective wards,
shall and may seize such bread, and after seizure thereof shall,
with all convenient speed, cause the same to be carried to any
magistrate or magistrates of the said city of *London*, who shall and
may dispose thereof as he or they in his or their discretion shall
think fit.

XXIII. And be it further enacted, That if any person or per-
sons shall wilfully obstruet or hinder any search herein-before
authorised to be made, or the seizure of any bread which shall be
found upon any such search, or the taking or carrying away the
same, he, she, or they, so doing or offending shall, upon being
convicted thereof in manner as by the said last-mentioned act is
directed, forfeit and pay, for every offence, any sum not exceed-
ing five pounds, nor les than twenty shillings, as the magistrate
or magistrates before whom such offender or offenders shall be
convicted shall think fit to order.

XXIV. And be it further enacted, That no corn meter, meal
weigher, or other person who shall be employed or concerned in
the preparing, making, or keeping, of any such general returns
of wheat, or of flour or meal made of wheat, as are by this act
equired and directed to be made, shall, on any account or pre-
eince whatsoever cause or permit such returns, or any of them, to
be inspected by, or any of the particulars thereof respectively to
The returns
not to be in-
spected or
made known,
except to such
magistrates,
officers, &c.
as such re-
turns are in-
be tended to be

inspected and examined by, on penalty from £10. to £10.

be made known to any person or persons without the order of the lord mayor for the time being of the city of *London*, for that purpose first obtained, save and except only such magistrates, officers, and other persons as such returns are intended to be inspected and examined by from time to time, according to the true intent and meaning of this act, for the purpose of carrying the same into execution; and every person who shall offend herein, shall, for every such offence, upon being convicted thereof, forfeit a sum not exceeding twenty pounds, nor less than ten pounds, as the magistrate or magistrates, justice or justices, before whom such offender shall be convicted, shall from time to time think fit.

Certain clauses, provisions, and directions, in the laid recited act, extended to this act.

XXV. And be it also enacted, That the clauses, provisions, and directions, contained in the said in part recited act of the thirty-first year of King *George* the Second, for empowering magistrates to hear and determine offences against the said act in a summary way, and summon and examine evidences, and convict offenders, and for recovering penalties and otherwise punishing offenders, and for authorising persons thinking themselves aggrieved to appeal to the justices at the general or quarter sessions of the peace, and the clauses and directions in the same act contained for protecting and indemnifying magistrates and other officers under the said act, shall respectively extend and relate to this present act, and, so far as the same are applicable to the purposes of this act, shall be exercised for putting this act in execution, and enforcing the provisions and directions thereof, in such and the same manner as if the same several clauses were herin contained, and at large re-enacted.

Privileges, indemnities, &c. to magistrates.

XXVI. And be it further enacted, That all magistrates, and all other persons whomsoever, shall be entitled to and have all such other the privileges, protections, and indemnifications, in all respects whatsoever, for what they shall lawfully do in putting this act in execution, as they are entitled to and have by the laws already enacted and now in being relative to the making of bread, and selling, or exposing the same to or for sale, for putting the said laws in execution.

No Certiorari, &c. shall be granted to remove proceedings under this act.

XXVII. And be it further enacted, That no *Certiorari*, letters of advocation or of suspension, shall be granted to remove any conviction or other proceedings had thereon in pursuance of this act.

Limitation of prosecutions. Offenders convicted not to be prosecuted for the same offence under any other law.

XXVIII. Provided always, and be it likewise enacted, That no person shall be convicted of any offence under this act, unless the prosecution in order for such conviction shall be commenced within fourteen days after the offence committed; and that no person who shall be prosecuted to conviction for any offence done or committed against this act, shall be liable to be prosecuted for the same offence under any other law.

Application of penalties.

XXIX. And be it also enacted, That all penalties and forfeitures by this act inflicted shall, when recovered or paid, go and be disposed of in manner following; (that is to say), One moiety thereof, where any offender or offenders shall be convicted, either by his, her, or their confession, or by the oath of one or more credible

credible witness or witnesses, shall go and be paid to the person or persons who shall inform against and prosecute to conviction any such offender or offenders, and the other moiety thereof, or in case there be no such person informing, then the whole thereof, shall go and be paid or applied to or for the use of the poor of the parish wherein such offence shall be committed, or the party convicted, as the justice or justices, before whom such offender or offenders shall be convicted, shall in his or their discretion think fit.

XXX. Provided always, and be it further enacted, That this act, or any thing herein contained, shall not extend to prejudice of rights any right or custom of the city of London, or the practice there used, or any right or custom of any lord or lords of any leet, to set, enquire, and punish the breach of assize of bread within their respective leets, or views of frankpledge, or the rights of any clerk or clerks of the market in any place.

XXI. And be it further enacted, That all and every the commencement, directions, regulations, powers, and authorities of this act shall commence and take place, and be had, done, executed, and performed, immediately from and after the first day of August one thousand seven hundred and ninety-seven, unless otherwise especially directed by this act.

C A P. XCIX.

An act to revive and continue the bounties granted by an act, made in the twenty-sixth year of the reign of his present Majesty, for encouraging the fisheries carried on at Newfoundland and parts adjacent, from Great-Britain, Ireland, and the British dominions in Europe; to continue so much of an act, made in the thirty-third year of the reign of his present Majesty, as permits the importation and exportation of certain goods, wares, and merchandizes, in foreign ships, into and from the port of Saint John's in the island of Antigua; and so much of an act, made in the thirty-third year of the reign of his present Majesty, as permits sir William Bishop, George Bishop, and Argles Bishop, to carry on the manufacture of Maidstone Geneva; and also so much of an act, made in the thirty-fifth year of the reign of his present Majesty, for better securing the duties on glass, as was to continue for a limited time.—[July 4, 1797.]

Act 26 Geo. 3. c. 26 revived from Jan. 1, 1797, and continued for two years. So much of 33 Geo. 3. c. 50, as respects the port of Saint John's in Antigua continued until July 10, 1801. Messrs. Bishop may make Maidstone Geneva until July 5, 1799, subject to the present duties. So much of 35 Geo. 3. c. 114, as was to continue until July 5, 1797, further continued for a year.

C A P. C.

An act for extending the Monmouthshire canal navigation; and for explaining an act, passed in the thirty-second year of the reign of his present Majesty, for making the said canal.—[July 4, 1797.]

C A P. CI.

An act for enlarging and improving the harbour of Aberdeen, for building new quays, wharfs, and docks, and for making new roads and passageways, and widening others leading to and from the said harbour.—[July 4, 1797.]

C A P. CII.

An act for granting to his Majesty additional duties on distilleries in the several parts of the highlands of Scotland herein particularly described, for a limited time; and for regulating the duties on distillers in the respective districts in Scotland.—[July 19, 1797]

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making addition to the publick revenue, have freely and voluntarily resolved to give and grant to your Majesty the additional duties herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That there shall be raised, levied, collected and paid, to and for the use of his Majesty, his heirs and successors, for and in respect of the several matters and things herein after mentioned, over and above all the duties already imposed for or in respect thereto by any act or acts of parliament, the further duties of excise herein-after mentioned; that is to say,

The following additional duties of excise to be paid in Scotland :

On licences granted after July 5, 1797, for erecting stills in the highlands within the limits specified in 33 Geo.

3. c. 61.

(except as herein after described), for each gallon of the contents, where barley, &c. of the growth within the said limits is used, 6l.

15s. per ann.

and for each gallon distilled above a

For and upon all licences which shall be granted by the commissioners of excise in Scotland, at any time after the fifth day of July one thousand seven hundred and ninety-seven, for the erecting, keeping, and working stills in the highlands of Scotland, within the counties, parts of counties, and limits, in a certain act, passed in the thirty-third year of the reign of his present Majesty, intituled, *An act for the regulation of distillers in Scotland, and the exportation of British-made spirits from England to Scotland, and from Scotland to England, for a limited time*, particularly specified and described, except such part of the said highlands of Scotland as lie within the counties, parts of counties, and places, herein-after particularly specified and described, the additional duties following; that is to say, Upon every gallon, English wine measure, of the cubical content or capacity of each and every such still, (including the head and every part thereof, and of any horn, pipe, tube, or other apparatus therewith connected, under whatever name or denomination the same may be called or known, as high as the steam can ascend), which from and after the said fifth day of July one thousand seven hundred and ninety-seven, shall be used or employed in distilling and drawing off spirits from the barley, beer, or bigg, of the growth of the several and respective counties, or parts of counties, mentioned in the said act, except as aforesaid, the additional composition, licence duty, or sum, after the rate of six pounds and ten shillings for one year:

And for and upon all spirits which shall be manufactured from such licensed still over and above the quantity limited by this act,

an

an additional duty of four shillings and four-pence for each gallon limited quantity, 4s. 4d. of such surplus spirits, to be paid upon demand by the distiller thereof:

And for and upon all licences which shall be granted after the fifth day of July one thousand seven hundred and ninety-seven, granted for by the said commissioners, for the erecting, keeping and working of stills in the parts herein-mentioned, stills in such parts of the said highlands as lie within the after specified, counties, parts of counties, and places, herein-after particularly for each gallon of the contents, specified and described, the additional duties following; (that is to say,) Upon every gallon, English wine measure, of the cubical head and every part thereof, and of any horn, pipe, tube, or other apparatus therewith connected, under whatever name or denomination the same may be called or known, as high as the steam can ascend), which, from and after the fifth day of July one thousand seven hundred and ninety-seven, shall be used or employed in distilling and drawing off spirits from the barley, beer, or bigg, of the growth of the several and respective counties, or parts of counties, and places, herein-after particularly specified and described, the additional composition, licence duty, or sum, after the rate of four pounds for one year:

And for and upon all spirits which shall be manufactured from such licensed still as last mentioned, over and above the annual quantity limited by this act, an additional duty of two shillings and eight-pence for each gallon of such surplus spirits, to be paid upon demand by the distiller thereof.

II. And be it further enacted, That the several duties by this act imposed shall be raised, collected, recovered, secured, and paid, by such persons, in such manner, and by such ways and means; and under such management, and under and subject to with such power of adjudging and mitigating penalties and forfeitures, and with and subject to such powers, and to the like allowances and directions, and by such methods, and in such manner and form, (except where otherwise expressly directed or provided by this act), as by the said act, made in the thirty-third year of the reign of his present Majesty, for the regulation of distilleries in Scotland, and the exportation of British-made spirits from England to Scotland, and from Scotland to England, or any other place or acts of parliament now in force concerning distilleries in Scotland, is directed or prescribed; and that all the provisions, penalties, forfeitures, powers, authorities, rules, regulations, conditions, and directions, mentioned and contained in the said act or acts respectively, (except as aforesaid), shall be practised and put in execution for the raising, levying, recovering, securing, and paying, the duties by this act imposed in manner in the said acts directed, as fully and effectually, to all intents and purposes, as if the same were particularly repeated and enacted in this act.

III. And be it further enacted, That all the monies arising by the duties by this act imposed, (the necessary charges of raising

Duties to be paid into the exchequer, and

and carried
to the conso-
lided fund.

Application of
the duties.

Duties, with
others granted
for the same
purpose, to be
kept separate.

Licences
granted
between
Dec. 1, 1796,
and July 5,
1797, to cease
from the lat-
ter day, and
on being
delivered up
by July 25, a
proportion of
the duties to
be returned,
if the full
quantity of
spirits speci-
fied in recited
act shall not
have been
distilled.

Stills within
certain limits
to be licensed
for a year,
from July 5,
1797, on pay-
ment of 4l.
additional
duty;

and accounting for the same excepted), shall, from time to time, be paid into the receipt of his Majesty's exchequer at Westminster, and the said monies so paid into the said receipt of exchequer as aforesaid, shall be carried to and made part of the consolidated fund.

IV. Provided always, and be it further enacted, That all the monies arising or to arise by the said duties, or any of them, shall be deemed an addition made to the revenue for the purpose of defraying the increased charge occasioned by any loan made, or stock created or to be created by virtue of any act or acts passed, or to be passed, in this session of parliament; and that the said monies shall during the continuance of this act, be paid into the said receipt of his Majesty's exchequer at Westminster, distinctly and apart from all other branches of the publick revenue; and that there shall be provided and kept in the office of the auditor of the said receipt a book or books, in which all the monies arising from the said duties, and paid into the said receipt, shall, together with the monies arising from any other rates or duties granted in this session of parliament, for the purpose of defraying such increased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatever.

V. And be it further enacted, That all licences granted since the first day of December one thousand seven hundred and ninety-six, or to be granted before the fifth day of July one thousand seven hundred and ninety-seven, for the erecting, keeping, and working stills, shall, from and after the said fifth day of July one thousand seven hundred and ninety-seven, cease and determine, in and throughout all the counties and parts of counties and districts, in the laid act of the thirty-third year of the reign of his present Majesty particularly described and specified as the highlands of Scotland, save and except as to any arrears of the said duties which may, on the said fifth day of July one thousand seven hundred and ninety-seven, remain in arrear and unpaid, or to any penalty or forfeiture which may have been incurred on or before that day; and all and every person or persons so licensed, who shall deliver up such licence to be vacated before or on the expiration of twenty days after the said fifth day of July one thousand seven hundred and ninety-seven, (provided such distiller or distillers shall not have distilled the full quantity of spirits specified in the said act of the thirty-third year of the reign of his present Majesty), shall upon the delivery of such licence as aforesaid, be entitled to a return of a part of the duty paid thereupon for the present year, in proportion to the period of the year then unexpired.

VI. And be it further enacted, That all stills so to be licensed to be set up in the counties, parts of counties, and places, herein-after mentioned and described, that is to say, In any place which lies to the westward or northward of a certain line or boundary, beginning at the east point of Loch Crinan, and proceeding from thence to Loch Gilpin; from thence along the great road on the west side of Loch Fine, to Inverary, and to the head of Loch Fine; from thence along the high road to Arrochar, in the county of Dunbarton, and from thence to Tarbet; from Tarbet, in a supposed straight

straight line eastward, on the north side of the mountain called Benlomond, to the village of *Calendar of Monteith*, in the county of Perth; from thence north-eastward to *Crieff*; from thence northward along the road by *Amblere* and *Iruer*, to *Dunkeld*; from thence along the foot and south side of the *Grampian Hills* to *Fetter Cairn*, in the county of *Kinkardine*; and from thence northward, along the road, by *Cutties*, *Hillock*, *Kincardine*, *O'Neal*, *Clatt*, *Huntley*, and *Keith*, to *Fochabars*; and from thence westward, by *Elgin* and *Forres*, to the boat on the river *Findhorn*; and from thence down the said river to the sea of *Findhorn*, and any place in or part of the county of *Elgin*, which lies to the southward of the said line from *Fochabars* to the sea at *Findhorn*, shall be licensed for the term of one whole year, from the said fifth day of July one thousand seven hundred and ninety-seven, on payment of the composition or licence duty, at and after the rate of four pounds, in addition to the duties already imposed thereon and within any other part of the by any act or acts in force on and immediately before the passing part of the of this act, for each gallon *English* wine measure of the content highlands, described in capacity of such still; and all stills so to be licensed to be set up in any other part of the said highlands of Scotland, as described in 33 Geo. 3. c. 61. on in the said act of the thirty-third year of the reign of his present Majesty, except the counties, parts of counties, and places herein before particularly specified and described, shall be licensed for the payment of the duty, like term as aforesaid, on payment of the composition of licence for each gallon of their duty, at and after the rate of six pounds and ten shillings, in addition to the said duties already imposed thereon as aforesaid.

VII. Provided always, and be it further enacted, That if this act shall not continue in force during the whole period of the in force a year for which such licences as aforesaid shall be granted, every year, a pro-distiller so to be licensed, shall be intituled to a return of a part of portion of the duty paid, thereupon in proportion to the unexpired period of the year for which such licences shall be granted, remaining at the expiration of this act, provided such distiller shall not have distilled the full quantity of spirits specified in this act for which such licensed duty is hereby declared to be a composition.

VIII. Provided always, and be it further enacted, That no still limits within within the counties, parts of counties, or places herein-before particularly described, and specified to be subject to the duty at licensed, the rate of four pounds by this act, shall be licensed to be set up or worked nearer than two *English* statute miles within the said line or boundary, nor within any part or place within the counties of *Elgin* or *Banff*, not being distant from the nearest part of the sea shore more than three *English* statute miles; and that no still within any other part of the said highlands, as described in the said act of the thirty-third year of the reign of his present Majesty, without the counties, parts of counties, and places herein-before particularly specified and described, shall be licensed to be set up or worked nearer than two *English* statute miles within and from the said line or boundary, as described in the said act of the thirty-third year of the reign of his present Majesty.

IX. Provided also, and be it further enacted, That no still No still to be licensed to

distil from barley, &c. but of the growth of certain limits. shall be licensed to be set up within the counties, parts of counties, or places herein-before particularly specified and described, for the distilling or drawing off spirits from the barley, beer, or bigg, of the growth of any county or place without the line or boundary herein-before particularly specified and described; and that no still shall be licensed to be set up in any other part of the said highlands, without the line and boundary herein-before particularly specified and described, for the distilling or drawing off spirits from the barley, beer, or bigg, of the growth of any county or place not within the said highlands, as described in the said act of the thirty-third year of the reign of his present Majesty; and if any licensed distiller within the counties, parts of counties, and places herein-before particularly specified and described, shall import or bring, buy, receive, or use, for the purpose of distillation, any barley, beer, malt, or grain, not being the actual growth and produce of those counties, or of those parts and places of counties, only which are herein-before particularly described and specified; or if any licensed distiller in any other part of the said highlands of *Scotland*, not being within the counties, parts of counties, or places herein-before particularly specified and described, shall import or bring, buy, receive, or use, for the purpose of distillation, any barley, beer, malt, or grain, not being the actual growth and produce of the counties, parts of counties, and places only, which are by the said act of the thirty-third year of the reign of his present Majesty particularly specified and described as the highlands of *Scotland*, every such distiller shall forfeit twenty shillings per bushel for all such grain or malt, and also his or her current licence, and still and utensils, and upon being convicted thereof shall be incapable of ever afterwards receiving another licence as a highland distiller.

Spirits passing out of certain limits, to be forfeited, with the vessels, &c.

X. And be it further enacted, That no spirits, the manufacture of stills licensed to be set up within any of the counties, parts of counties, or places herein-before particularly specified and described, shall be allowed to pass out of the said limits with or without permit, either by land or water, across the line or boundary herein-before specified, or from the coasts or ports of any of the counties or districts included within the said line or boundary, and that no spirits, the manufacture of stills licensed to be set up within any other part of the said highlands without the said counties, part of counties, and places herein-before particularly specified and described, shall be allowed to pass out of the said highlands, as described by the said act of the thirty-third year of the reign of his present Majesty, with or without permit, either by land or water, across the line or boundary in the said act expressed, or from the coasts or ports of any of the counties, parts of counties, or places within the said highlands, as described as last aforesaid; and that all spirits distilled within the respective limits in this act, or in the said act of the thirty-third year of the reign of his present Majesty described, that shall be found passing to or in other parts without those respective limits, or from the coasts of the said kingdom, either with or without permit, shall be liable

to seizure by any officer or officers of customs or excise in England or Scotland respectively, and shall be forfeited and lost, together with the casks, vessels, and other packages, containing the same; and also the vessels and boats, horses and other cattle and carriages made use of in the removal or conveyance thereof; and if any licensed distiller shall send or carry, or knowingly permit or suffer to be sent or carried, from his or her distillery or other place, any spirits distilled by him or her under such licence, hereto, to be contrary to this act, every such licensed distiller, shall, for every such offence, forfeit and pay the sum of one hundred pounds.

XI. And be it further enacted, That when the additional composition duty, after the rate of six pounds and ten shillings imposed by this act, shall be paid by a still of forty gallons, such duty shall be held to be a composition for the duty on dry malt, to the extent of five hundred bolls *Linlithgow* measure, or three thousand bushels, and no more; and when the additional composition duty, after the rate of four pounds, imposed by this act, shall be paid for a still of forty gallons, such duty shall be held to be a composition for the duty on dry malt, to the extent of four hundred and fifty bolls *Linlithgow* measure, or two thousand seven hundred bushels, and no more; and where any such composition duty shall be paid for any still of a lesser size the like proportion shall be observed as to the quantity of malt for which such duty shall be held to be a composition; and that for all malt which shall be used or made by any distiller paying the composition duties last mentioned, there shall be paid by such distiller the same duties to which the entered maltster shall be then liable by the laws of excise.

XII. And be it further enacted, That so much of two acts, passed in the twenty-sixth and twenty-eighth years of the reign of his present Majesty, as enacts, that every officer of excise who should in that part of Great Britain called Scotland seize and bring to condemnation any still by those acts made liable to seizure and grants rewards for forfeiture, (except in case of such still or stills being seized on the discovery of any other person in the manner therein-after specified), should be entitled to a reward of two shillings and sixpence persons dis-
tilling for every gallon of the content or capacity of such still, covering stills including the head thereof, to be paid out of his Majesty's duties in Scotland, upon an order from the said commissioners of excise, inflicts which order the said commissioners where thereby authorised and punishment required to grant; provided nevertheless, That such reward should not exceed the sum of twenty-one pounds sterling for any one still so seized as aforesaid; and if any person (not being an officer of excise) should make discovery of any still liable to seizure and rewards to forfeiture as aforesaid, so as that the same should be seized and condemned, such person or persons should be entitled to a reward of one shilling and sixpence sterling for every gallon of the capacity or content of such still, to be paid on the condemnation thereof; provided also, That such reward should not exceed the sum of ten pounds and ten shillings for any one still so forfeited as last aforesaid; and the officers or officer of excise by whom the

same should be seized should also be entitled to a reward of one shilling *sterling* for every gallon of the content or capacity of such still, so that such last mentioned reward should not for any one still exceed the sum of ten pounds and ten shillings *sterling*, and that such several rewards should be paid by order of the said commissioners of excise as aforesaid; and if by reason of the small size of any such still or stills the said commissioners of excise should think any of the rewards aforesaid insufficient, the said commissioners should and they were thereby authorised to augment the same respectively, not exceeding the respective sums aforesaid; and also so much of the said act as further enacts, that if any officer of excise should, for the space of twenty-four hours after he should have received information of such still being unlawfully erected, used, or kept, or of any worts, wash, tilts, or low wines, prepared and intended to be unlawfully used in distillation, wilfully neglect to seize the same respectively, every such officer so offending should, upon complaint made thereof, and proof of the fact to the satisfaction of the commissioners of excise in *Scotland*, be dismissed from his or their office, and should never afterwards be capable of serving his Majesty in any office or place of trust whatever, and should moreover forfeit and lose all such salary as should be due to him at the time of his dismission; and in case the person or persons making such complaint should be the same person or persons who gave the information as aforesaid to the officer or officers so dismissed, such person or persons should be entitled to a reward of one shilling and sixpence *sterling* for every gallon of the contents or capacity of the said still or stills, to be paid by the order of the said commissioners of excise out of the revenues of excise; shall be and the same and every part thereof are hereby repealed.

**Continuance
of act.**

XIII. And be it further enacted, That the several regulations and provisions of this act shall continue and be in force until one month after the commencement of the next session of parliament.

C A P. C III.

An act to raise and embody a militia force in that part of the kingdom of Great Britain called Scotland.—[July 19, 1797.]

Preamble.

WHEREAS it has been found, from experience, that the well ordering and disciplining the militia in England and Wales, has essentially contributed to the safety of the united kingdom: and whereas it would further contribute to the same purpose, and tend to repel any attempt which the enemies of this country may make to effect a descent upon this kingdom, if a well ordered and disciplined militia were established in that part of the united kingdom called Scotland: and whereas the laws now in being for the regulation of the fencible men, or militia, in Scotland, are defective and ineffectual: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons,

commons, in this present parliament assembled, and by the authority of the same, That the several lieutenants whom his Majesty has already been pleased to constitute and appoint, or whom he hereafter may or shall from time to time be pleased to constitute and appoint, for the counties, stewartries, cities, and places, herein-after mentioned, shall have full power and authority, and are hereby required to call together, array, and cause to be trained and exercised, such persons, and in such manner as is herein-after directed; and the said lieutenants, and such persons as they have appointed, or shall from time to time appoint, their deputy lieutenants, and also such persons as his Majesty shall from time to time appoint to serve as colonels, lieutenant colonels, majors, and such officers as shall be appointed by the lieutenants of the counties and stewartries pursuant to the directions of this act, qualified as herein-after directed, shall have the power and authority to call out, train, discipline, and command, the persons so to be armed and arrayed, according to the rules, orders, and directions, herein-after mentioned: provided always, Lieutenant to have the chief command whilst the militia remains within the county, or whilst not incorporated into battalions by his corporation. That the lieutenant of every county, stewartry, city, or place, shall have the chief command of the militia thereof, whilst they remain within the said county, stewartry, city, or place, or whilst they remain separate and not incorporated into battalions by his

Mode of appointing the officers to companies, of companies, one or more than two counties; greatest fractional part of such company shall appoint the captain; the lieutenant of the county furnishing the next most considerable fractional part shall appoint the lieutenant; and the lieutenant of the county furnishing the next most considerable fractional part shall appoint the ensign.

III. And be it further enacted, That where the men furnished by two counties only are required to form one company, or the fractional part of a company, the lieutenant of the county furnishing the largest fractional part of such company shall appoint the captain; and the lieutenant of the other county shall appoint the lieutenant and ensign.

IV. And be it further enacted, That his Majesty may from time to time signify his pleasure to his lieutenant, to displace any deputy lieutenant or commissioned officers in the militia appointed by the lieutenant, and thereupon the lieutenant shall displace such deputy lieutenant or officers accordingly.

V. And be it further enacted, That his Majesty's lieutenant for any county, stewartry, or place, may and shall appoint a clerk for the general meetings within such county, stewartry, or place, and may displace such clerk if he shall think fit, and appoint another in his room; and the deputy lieutenants, at their first meeting within their respective sub-divisions or districts, or the major one for districts.

major part of them present, may and shall appoint a clerk for their sub-division or district, and may, at any other meeting within their sub-division or district, displace such clerk, if they, or the major part of them present, shall think fit, and appoint another in his room.

His Majesty may authorise three deputies to act when the lieutenant is out of the kingdom, or when there shall be no lieutenant.

Revocation of the lieutenant's commission not to vacate those granted by him.

Rank of the officers.

Qualification of officers, except within Edinburgh and its liberties.

VI. And be it further enacted, That when the lieutenant of any county, stewartry, city, or other place, shall be out of the kingdom of *Great Britain*, or when there shall be no lieutenant, it shall be lawful for his Majesty to authorise any three deputy lieutenants of such county, stewartry, city, or place, to do all acts, matters, and things, which might lawfully have been done by the said lieutenant; and the same shall be good and valid in the law as if done by the said lieutenant himself.

VII. And be it further enacted, That no commission of any deputy lieutenant, nor any commission of any officer of the militia already granted, or to be granted by any lieutenant, shall be vacated by reason of the revocation, expiration, or discontinuance of the commission by which any such lieutenant was appointed.

VIII. And be it further enacted, That the officers so appointed for the militia, to be armed and arrayed as herein-after directed, shall rank with the officers of such of his Majesty's forces as are liable to serve out of *Great Britain* as youngest of their rank.

IX. And be it further enacted, That all persons to be appointed officers of militia in pursuance of this act (except within the city of *Edinburgh* and its liberties) shall be qualified as follows; that is to say, Every person so to be appointed a colonel or lieutenant colonel shall be possessed of an estate in property of four hundred pounds *Scots* valued rent in *Scotland*, or shall be heir apparent of some person who shall be possessed of an estate of four hundred pounds *Scots* of valued rent as aforesaid; and each person so to be appointed a major or captain shall be in like manner possessed of an estate of three hundred pounds *Scots* of valued rent, or shall be heir apparent of some person who shall be possessed of an estate of three hundred pounds *Scots* of valued rent as aforesaid, or shall be a younger son of some person who shall be, or at the time of his death was in like manner possessed of an estate of four hundred pounds *Scots* of valued rent as aforesaid, or shall be possessed of a personal estate alone to the amount of two thousand pounds sterling, or shall be son of some person who shall be, or at the time of his death was possessed of a personal estate alone to the amount of two thousand pounds sterling; and that each person so to be appointed a lieutenant or ensign shall be in like manner possessed of an estate of one hundred pounds *Scots* of valued rent, or shall be son of some person who shall be, or at the time of his death was in like manner possessed of an estate of three hundred pounds *Scots* of valued rent as aforesaid, or shall be possessed of a personal estate alone to the amount of one thousand pounds sterling, or shall be son of some person who shall be, or at the time of his death was possessed of a personal estate of one thousand pounds sterling: provided always, That one moiety of such real estates as aforesaid, required as qualifications for each colonel,

colonel, lieutenant colonel, major captain, lieutenant, and ensign respectively, shall be situate or arising within such respective county or stewartry in which he shall be so appointed to serve.

X. Provided always, and be it further enacted, That if a sufficient number of lieutenants and ensigns cannot be found, qualified as aforesaid, to accept of commissions in the militia to be raised, it shall be lawful for the said lieutenants to appoint for that service such a number of the officers in the army, whether on full or half pay, or of persons who have had commissions in any of his Majesty's regular or fencible forces, or in any volunteer corps in *Scotland*, although not duly qualified as aforesaid, such officers not to be appointed, on their first appointment, to any higher rank in the said militia than they respectively have, or have had, in his Majesty's other regular, fencible, or volunteer forces.

XI. And be it further enacted, That no commissioned officer shall act as such until he shall have left with the clerk of the peace of the county or stewartry for which he shall be so appointed, a specific description of his qualification, as is herein-before required, in writing, signed by himself; and such clerk of the peace shall enter the same upon a roll to be kept for that purpose; which roll shall be open to the inspection of every person at common and usual hours, without fee, gratuity, or reward of any kind.

XII. And be it further enacted, That every lieutenant and deputy lieutenant of the several counties and stewartries, and of the city of *Edinburgh*, and every commissioned officer of the said militia, shall, at some general quarter sessions of the peace, or before the sheriff depute or substitute of the county for which they are appointed to serve, or before any of the magistrates of *Edinburgh*, within six calendar months after he shall have accepted his commission, take the following oath:

'I A. B. do solemnly promise and swear, That I will be faithful and bear true allegiance to his majesty King *George*. So help me G O D.'

XIII. And be it enacted, That if any person shall execute any of the powers hereby conferred as field officers in the militia, not being qualified as aforesaid, or who shall not take the oath aforesaid, every such person shall forfeit and pay the sum of two hundred pounds sterling; and if any person shall execute any of the powers hereby conferred on captains, not being qualified as aforesaid, and shall not take the oath aforesaid, every such person shall forfeit and pay the sum of one hundred pounds sterling, one moiety whereof shall go to the use of such person or persons who shall sue for the same, and the other moiety to the uses herein-after directed; and in every action, suit, or information, brought against any person for acting as a commissioned officer in the said militia, not being qualified as herein-before described, the

Peers, or their
heirs appa-
rent, may act
without being
qualified.

proof of his qualification, or of his having taken the oaths, shall be upon the person against whom the said action shall be brought: provided always, That nothing in this act contained shall restrain or prevent any peer of *Scotland*, or heir apparent of any such peer, from being appointed or acting as a commissioned officer in the militia, within the county, stewartry, city, or place, wherein such peer, or heir apparent of such peer, shall have some place of residence, although he may not have the qualification herein-before required, or to oblige any peer of this realm, or any heir apparent of such peer, who shall be appointed a commissioned officer as aforesaid, to leave with the clerk of the peace for the county, stewartry, city, or place, for which he shall be appointed, any qualification in writing as aforesaid, any thing herein contained to the contrary notwithstanding: provided always, That any officer may be promoted, on account of merit, in the said militia, when called out and assembled by the lieutenant of any county, stewartry, city, or place, from a lower to a higher commission, notwithstanding he should not have the qualification requisite for his admission into such higher rank of the militia; and that it shall be lawful for his Majesty, in the case herein-after provided for, of judging it in his wisdom expedient to incorporate together the militia of several counties, stewartries, cities or places, into one or more battalions, to promote any officers in the said different militias to serve as field officers in such incorporated battalions, on account of merit, though not having the qualification necessary for such higher rank.

Officers may
be promoted
by the lieute-
nant for their
merit, though
not qualified.
His Majesty
may incorpo-
rate the mili-
tia of several
counties, and
promote of-
ficers to be
field officers
therein on
account of
merit.

Appoint-
ments in the
militia not to
vacate seats in
parliament.

Number of the
private militia
men.

Method of
carrying the
act into exe-
cution.

XIV. Provided also, and be it enacted, That the acceptance of an appointment to be a lieutenant, deputy lieutenant, or of a commission in the said militia, shall not vacate the seat of any member returned to serve in parliament, nor shall any such acceptance or appointment, or any such commission, render any person whatsoever ineligible to serve in parliament; any law, usage, or custom, to the contrary thereof notwithstanding.

XV. And be it further enacted, That the number of private men to be raised by virtue of this act, shall be six thousand, to be apportioned and divided over the several counties, stewartries, cities, and places, as his Majesty by order in council shall direct.

XVI. And be it further enacted, That the method for carrying into execution this act, to be observed in the year one thousand seven hundred and ninety-seven, shall be as followeth; that is to say, His Majesty's lieutenant for each county, stewartry, city, or place, together with any two or more deputy lieutenants, and on the death or removal, or in the absence of his Majesty's lieutenant, or deputy lieutenants, or any three or more of them, shall meet at some burgh or principal town of the county, stewartry, or place, for which they shall be commissioned, on the first day of *August*, and shall at their first general meeting appoint sub-divisions or districts of the deputy lieutenants, within their respective counties, stewartries, boroughs, and places, and the times and places for their first meetings, within the said sub-divisions or districts respectively, and the time and place for a second

second general meeting, and shall issue out their orders to the schoolmaster of each parish, and to the chief constable, and where there is no chief constable to some other officer of the several districts, parishes, or other divisions, within their respective counties, stewartries, or places, to require, by orders under their hands, the said schoolmaster, constable, or other officer of each parish or place, within their respective districts, parishes, or other divisions, to return to the deputy lieutenants, within their respective sub-divisions, at the place and on the day appointed at the said first general meeting, fair and true lists in writing of all the men usually and at that time dwelling within their respective parishes and places, between the ages of nineteen and twenty-three inclusive, distinguishing their respective ranks and occupations, and which of the persons so returned labour under any infirmities incapacitating them from serving as militia men, having first affixed a true copy of such list on the door of the church belonging to such parish or place, on the *Sunday* morning before they shall make such return; and on the day and at the place so respectively appointed as aforesaid for the returns of the lists, the said deputy lieutenants, or any three or more of them, or any two deputy lieutenants together with any one justice of the peace, or any one deputy lieutenant together with any two justices of the peace and the schoolmasters of the parishes within the said sub-division or district, or such of them as are able to attend, so assembled in their sub-divisions or districts, shall (after hearing any person who shall think himself aggrieved by having his name inserted in such lists, or by any others being omitted) direct such lists to be amended, as the case shall require, and also the names of all persons by this act respectively excepted to be struck out of the said lists, and shall appoint the times and places for their second meetings, within their respective sub-divisions, and shall return to the second general meeting all the lists for the several parishes and places so amended, at which said second general meeting his Majesty's lieutenant, together with any two or more deputy lieutenants, or in the absence of his Majesty's said lieutenant, any three or more deputy lieutenants, shall order copies to be made of all the said lists, and such copies to be returned to the deputy lieutenants at their second meeting within their sub-divisions or districts, wherein the parishes and places for which such lists are made and returned are respectively situated.

XVII. And be it further enacted, That the lieutenant, or, Lieutenant to failing of him, any three or more deputy lieutenants assembled at transmit to the their second general meeting, shall transmit to his Majesty's privy council a list of the privy council an account in writing, signed by him or them, of men re- the true state of the number of persons returned in the lists afore- turned, to be said, on receipt of which his Majesty, by order in council, shall divided over forthwith apportion and divide over the several counties, stewart- the counties by order in ties, cities, and places, the number of militia to serve for such council: county, stewartry, city, or place, so as not to exceed the num- ber

ber of six thousand men over that part of Great Britain called Scotland.

on receipt of such order a ballot to be had as herein directed.

XVIII. And be it further enacted, That the lieutenant, or failing of him, any three or more deputy lieutenants, shall, upon receipt of such order in council, containing an apportionment of the number of men to be raised in each county, stewartry, city, or place, transmit a copy of such order to the deputy lieutenants, or any three or more of them, or any two deputy lieutenants, together with any one justice of the peace, or any one deputy lieutenant, together with two justices of the peace, assembled at their second meetings with such schoolmasters as are able to attend, who shall proceed to ballot in manner following, *videlicet*, the names of all the militia men in each parish, written or printed on distinct pieces of paper, being all as near as may be of equal size, and rolled up in the same manner, shall be put into a box or other vessel, and shall there be shaken together, and then a number of names equal to the number apportioned by the order in council aforesaid, shall be drawn out and opened by the person presiding at the meeting, which names shall be entered in a roll, and declared to be the quota of militia men for the parish, and shall, in like manner, proceed to ballot for each parish respectively within the said sub-division or district, a copy of which roll or rolls, subscribed by the person presiding at the meeting, shall within three days thereafter be transmitted to the lieutenant, or, failing him, to the deputy lieutenants authorised to act for him, and shall also be affixed by the minister of each parish to the door of the church the first Sunday thereafter.

Deputy lieutenant to give notice to the persons ballotted to attend at a certain time and place.

XIX. And be it further enacted, That the deputy lieutenant of the said district, or other person appointed by the lord lieutenant, shall give notice in writing by a constable, or other officer duly authorised by him, to the several militia men balloted as aforesaid, by serving them personally, or by leaving the same at their usual places of abode, to attend at a certain time and place to be specified in the said order; and also such militia men shall duly attend at the time and place so mentioned, and in default thereof shall suffer the same pains and penalties as are in such cases herein-after directed and imposed.

Persons ballotted, or substitutes, to take the following oath,

XX. And be it further enacted, That every person so chosen by ballot, or approved as a substitute as is herein-after directed, shall take and subscribe the following oath, to be administered by the deputy lieutenant, or other person appointed by the lord lieutenant for that purpose:

oath,

I A. B. do sincerely promise and swear, That I will be faithful and bear true allegiance to his majesty King George, and that I will faithfully serve in the militia, within that part of Great Britain called Scotland, for the defence of the same, during the present war, when called upon by his Majesty to do so, and for the space of one calendar month after the end thereof.'

And every such person shall be inrolled (in a roll to be then and and to be in-there prepared for that purpose) to serve in the militia of such county, stewardry, or city, as a private militia man, during the present war, and for the space of one calendar month after the end thereof: provided always, That if any person so chosen by ballot Persons shall produce a substitute able and fit for service, and who shall find substa-be approved by the said deputy lieutenants, or any two or more tutes, who, if of them, such substitute being unmarried, and having no children approved, shall born in lawful wedlock, so produced and approved, shall be enrolled and sworn. enrolled to serve in the militia of such county, stewardry, city, or place; and such substitute shall take the oath before mentioned; and if any person so chosen by ballot, and who shall have been enrolled in the said militia, shall at any time during the continuance of this act produce for his substitute any person of the description before mentioned, who shall be approved by the said deputy lieutenants, or any two or more of them, it shall and may be lawful for the commanding officer of such militia to cause such substitute to be enrolled in lieu of the person so chosen by ballot, which enrolment shall be made in the manner herein-before directed; and upon the enrolment of such substitute as aforesaid, the person so chosen by ballot shall be entitled to his immediate discharge.

XXI. And be it further enacted, That if any person chosen by ballot, according to the directions of this act, (not being one lotted, and of the people called Quakers, shall refuse or neglect to appear and take the said oath, and serve in the militia, or to provide a sol. ; and if substitute to be approved as aforesaid, who shall take the said oath, and sign his consent to serve as his substitute, every such person so refusing or neglecting shall forfeit and pay the sum of ten pounds sterling, and whenever any ballot shall take place in the same parish or place, under the authority of this act, betriable to serve again, or provide a substitute, and in default of payment of such penalty, or for want of sufficient effects whereon to levy the same, the name of such person shall be entered upon the roll for which he was ballotted, and shall be compelled to serve in like manner as any other person who should be then ballotted for would be compellable to serve, and shall be subject to the same punishments for afterwards absconding or deserting, as he would have been subject to in case he had appeared, and been duly sworn and enrolled as a militia man.

XXII. And be it further enacted, That the schoolmaster, or Allowance to such constables and other officers in each parish as are employed in carrying this act into execution, shall have such allowance for their trouble as the sheriff depute or substitute of each county or stewardry shall think reasonable, certifying the same to the lieut- nant of the county, or deputy lieutenants of the district.

XXIII. And be it further enacted, That where any parish shall lie in two or more counties or stewardries, the inhabitants of such parish shall serve in the militia of that county or stewardry wherein the church belonging to such parish is situated, and in that parish lying in two coun-ties, to serve that in the church is situate.

that such parish shall, for all the purposes of this act, be deemed part of the county or stewardry.

Lists for two
Places may be
added toge-
ther.

XXIV. And be it further enacted, That it shall be lawful for the said deputy lieutenants, or any two or more of them, within their respective districts, to add together, whenever they shall think necessary, the lists for two or more parishes, and proceed upon such lists added together in like manner as if they had been originally returned for one parish or place, so as to make the choice of militia men by ballot, within every such district, as equal and impartial as possible.

Certain per-
sons exempted
from serving.

XXV. Provided always, That no person serving as a commissioned officer in any regiment, troop, or company, in his Majesty's other forces, or in any corps of volunteers raised by virtue of an act, passed in the thirty-fourth year of his present Majesty's reign, intituled, *An act for encouraging and disciplining such corps or companies of men as shall voluntarily enrol themselves for the defence of their counties, towns, or coasts, or for the general defence of the kingdom, during the present war*, and who shall have been duly entered therein, on or before the passing of this act, or in any one of his Majesty's castles or forts, nor any non-commissioned officer or private man serving in any of his Majesty's other forces, or in any volunteer or yeomanry corps, troop, or company whatever, provided he hath been duly entered therein on or before the passing of this act, and provided he hath punctually attended at all such times and places as may have been agreed upon for the exercise of such corps, troop, or company, nor any of the professors in any of the four universities, nor any minister, clergyman, or schoolmaster, nor any constable or other peace officer, nor any person being and having been, on or before the passing of this act, an articled clerk, apprentice, seaman, or seafaring man, nor any man having more than two children born in lawful wedlock, shall be liable to serve personally, or provide a substitute to serve in the militia to be raised by virtue of this act; but no person who has served in his Majesty's forces, or in any other volunteer corps before mentioned, and hath been discharged, or quitted the same, shall by such service be exempted from serving, or providing a substitute to serve in the militia to be raised by virtue of this act, if he shall be chosen by ballot.

Regulations
respecting
Edinburgh
and its
liberties.

XXVI. And be it further enacted, That within the city and county of the city of Edinburgh and liberties thereof, the lieutenant thereof shall appoint captains, lieutenants, and ensigns of militia, whose number and rank shall be proportionable to the number of militia men to be raised for the same; and all powers and provisions made by this act, with respect to counties and stewardries, and the modes and times of summoning and ballotting the militia thereof, and recording the qualification of officers, shall take place and be in force with respect to the said city and its militia; and the registering of qualifications, and the value of the qualifications of the officers to serve in such militia, shall be as follows; every field officer shall be either proprietor or possessed of houses and other property, within the said city and liberties

liberties thereof, of the yearly value of one hundred pounds sterling, or shall be possessed of a personal estate, or funds alone, or proprietor or possessed of real and personal estate and funds together, to the amount and value of two thousand pounds sterling; and every captain shall be, in like manner, proprietor or possessed of houses or other property, within the said city and liberties thereof, of the yearly value of fifty pounds sterling, or shall be possessed of a personal estate, or funds alone, or proprietor or possessed of real and personal estate and funds together, to the amount or value of one thousand pounds sterling; and every sub-altern shall, in like manner, be proprietor or possessed of houses or other property, within the said city and liberties thereof, of the yearly value of fifteen pounds sterling, or shall be possessed of a personal estate, or funds alone, or proprietor or possessed of real and personal estate and funds together, to the amount or value of three hundred pounds sterling: saving always and reserving to the royal college of surgeons in *Edinburgh*, all rights, immunities, privileges, and exemptions, of which the said college may have been and still are in the lawful possession, and the benefit of any act or acts of parliament passed heretofore in their favour.

XXVII. And be it enacted, That it shall be lawful for his Majesty to form the said militia into such regiments and battalions, and to join such counties, stewartries, cities, and other places, shall think together for that purpose, as he shall think expedient, and in the manner best adapted for the defence of the united kingdom, and to be commanded by such officers as his Majesty shall think fit to appoint, qualified as herein-before directed.

XXVIII. And be it further enacted, That it shall be lawful Deputy lieutenants and justices of the peace within any sub-division or district, or any two or more of them, one deputy lieutenant being one, from time to time to issue their order or warrant under their hands and seals, requiring the attendance of constables, the constable, borough officer, or other officer of any parish or place, within such sub-division or district, at such time and place as in such order or warrant shall be expressed; and if any such constable, borough officer, or other officer, shall refuse or neglect to appear according to such order or warrant, or shall refuse or neglect to return any such list as before directed, or to comply with such order or directions as he shall from time to time receive from the said deputy lieutenants and justices of the peace, or any two or more of them, in pursuance of this act, a deputy lieutenant always being one, or shall, in making such return, be guilty of any fraud, or wilful partiality, or gross neglect in his duty, the said deputy lieutenants and justices of the peace, or any two or more of them, are hereby empowered and required to commit the person so offending to the common gaol, there to be kept for the space of one calendar month, or, at their discretion, to fine such person in any sum not exceeding five pounds sterling, nor less than forty shillings sterling.

XXIX. And

Volunteers
may be ac-
cepted as the
quota of a
county.

XXIX. And be it further enacted, That, notwithstanding of this act, if the lieutenant, or any three deputy lieutenants, of any county, stewartry, city, or place, shall, within the space of thirty days from and after the first general meeting appointed to be held under this act, make a return of a certain number of able and sufficient men, and out of such county, stewartry, city, or place, who are willing voluntarily to engage to serve together in a company or companies, regiment, battalion, or other corps, under officers appointed from such county, stewartry, city, or place, during the present war, and in that part of Great Britain called *Scotland* only, then and in that case such volunteers shall be accepted in full or in part of such quota as would otherwise by this act be imposed on such county, stewartry, city, or place.

Persons bal-
lotted must
serve, though
they remove
from the
places for
which chosen,
&c.

XXX. And be it further enacted, That every person chosen by ballot to serve in the militia shall be liable to such service although he may have removed from the place where his name was inserted in the list, provided he was residing in such place at the time when the list was, according to the directions of this act, prepared; and every person liable to serve in the militia, having more than one place of residence, shall serve for the county, stewartry, city, or place where his name shall have been first inserted in such list as aforesaid; and the clerk to the sub-division or district meeting, to which such list shall be returned, shall, if such person requires the same, grant a certificate, gratis, under his hand, that such person's name was inserted in such list, and specifying the time when such list was made and returned.

Substitutes
may be pro-
vided for qua-
kers, and the
expence le-
vied by dis-
tress.

XXXI. And be it further enacted, That if any person, being one of the people called *Quakers*, shall be chosen by lot to serve in the militia, and shall refuse or neglect to appear, and to take the oath aforesaid, and to serve in the said militia, or to provide a substitute, to be approved of as aforesaid, who shall take the said oath, and subscribe his consent to serve as the substitute of such quaker, then, and in every such case, any three deputy lieutenants, or any two deputy lieutenants together with any one justice of the peace, or any one deputy lieutenant together with any two justices of the peace, shall, upon as reasonable terms as may be, provide and hire a fit person who shall take the said oath, and subscribe his consent to serve in the said militia as the substitute of such quaker; and any three deputy lieutenants, or any two deputy lieutenants together with any one justice of the peace, or any one deputy lieutenant together with any two justices of the peace, are hereby empowered and required to levy, by distress and sale of the goods and effects of such quaker, by warrant under the hands of any three deputy lieutenants, or any two deputy lieutenants together with any one justice of the peace, or any deputy lieutenant together with two justices of the peace, such sum or sums of money as shall be necessary to defray the expences of providing and hiring such person to serve in the militia during the war, and for one calendar month thereafter, as the substitute of such quaker so refusing or neglecting as aforesaid, rendering the overplus (if any) after deducting the charges of such

such distress and sale, to such quaker upon whom such distress shall have been made as aforesaid; and in case any measures shall be used in making such distress as aforesaid, which may be by any such quaker thought oppressive, it shall be lawful for such quaker to complain thereof to the deputy lieutenants and justices of the peace at their next meeting, who are hereby empowered and required to hear and finally determine the same.

XXXII. And be it enacted, That if any servant whatever, hired by the year or otherwise, shall be enrolled as a militia man, and any dispute shall arise between his master or mistress, employer or employers, and such servant, touching any sum or sums of money due to such servant for or on account of his service performed before the time of such swearing and enrolment, or to such time as, under the condition of the said swearing and enrolment, he shall be obliged to quit the service of his said master or mistress, employer or employers, by being called out to join the militia in which he shall have been so sworn or enrolled, it shall and may be lawful, on complaint made thereof, within three months from the time of quitting the said service, to any justice of the peace for the county, stewartry, city, or place wheresuch master or mistress, employer or employers, shall inhabit, for such justice to hear and determine every such complaint, and to examine upon oath every such servant, or any other witness or witnesses, touching the same, and to make such order for the payment of so much wages to such servant, in proportion to the service he has performed, as to such justice shall seem just and reasonable, provided the sum in question do not exceed the sum of twenty pounds sterling; and in case of refusal or non-payment of any sum so ordered, by the space of twenty-one days next after such determination, such justice shall and may issue forth his and their warrant to levy the same by distress and sale of the goods and effects of such master or mistress, employer or employers, rendering the overplus to the owner or owners, after payment of the charges of such distress and sale.

XXXIII. And be it further enacted, That any person who shall receive money from any other person to serve as his substitute in the militia, and shall neglect to appear at the meeting appointed as aforesaid for swearing the militia men, or before turn the same one deputy lieutenant, in order to be sworn according to the directions of this act, every such person so neglecting to appear and be sworn, such neglect being proved before any two deputy lieutenants or justices of the peace, by the oath of one credible witness, shall be obliged to return the money to the person or persons from whom he received it, and shall also forfeit and pay to such person or persons any sum not exceeding twenty shillings sterling, at the discretion of the deputy lieutenants or justices of the peace aforesaid; and if such offender shall not immediately return the money so by him received as aforesaid, and likewise pay the said penalty, he shall be committed to the common gaol or house of correction, until the said sum shall be returned.

Inlisting of a militia man into his Majesty's other forces to be void.

Penalty on men, so offering to enlist, denying that they are militia men, &c.

Penalty on persons knowingly enlisting militia men into other regiments, and on soldiers offering to serve as substitutes in the militia.

Penalty on persons ordering serjeants, &c. of the militia, to beat up for volunteers;

and on the serjeants, &c. for refusing to declare who gave them orders.

XXXIV. And be it further enacted, That in case any officer, serjeant, or other person, shall at any time wilfully and knowingly enlist any man to serve in his Majesty's other forces, who at the time of such enlisting shall be called out and serving in the militia, embodied and incorporated as aforesaid by his Majesty's order, every such enlisting shall be deemed null and void; and in case any militia man, at the time of offering to enlist as aforesaid, shall deny to the officer or serjeant, or other person recruiting for men to enlist and serve in his Majesty's other forces, that he is at the time of his offering to enlist a militia man then actually called out and serving in the militia embodied and incorporated as aforesaid (which the said officer, serjeant, or other person is hereby required to ask every man offering to enlist in his Majesty's other forces), or shall offer himself to be enrolled and serve in any other regiment, battalion, or independent company of militia, every militia man so offending shall, on conviction thereof, upon the oath of one witness, before any one justice of the peace, be committed to the common gaol or house of correction, there to remain, without bail, for and during any time not exceeding six months, over and above any penalty or punishment to which such person so offending is or shall be otherwise liable; and every person so offending, from the day on which his engagement to serve in the militia shall end, and not sooner, shall belong as a soldier to such corps of his Majesty's other forces into which he shall have been so enlisted; and if any officer, serjeant, or other person shall enlist any man belonging to the militia to serve in his Majesty's other forces, knowing him to belong to the militia, every such officer, serjeant, or other person shall, for every such offence, forfeit and pay the sum of twenty pounds sterling; and if any person actually serving in any of his Majesty's other forces, shall offer himself to serve and be enrolled as a substitute in the militia, every person so offending shall forfeit and pay, to the person informing of such offence, the sum of ten pounds sterling, or be committed to the common gaol or house of correction for any time not exceeding three months.

XXXV. And be it further enacted, That if any person shall give orders to any serjeant, drummer, or other person serving in the militia, to beat up in any city, town or other place, for volunteers to serve in the militia, the person who shall give such orders shall, upon proof thereof, and upon such beating up as aforesaid, upon oath before any justice of the peace, forfeit and pay the sum of twenty pounds sterling, one moiety whereof shall be applied to the use of the person who shall make information thereof before any justice of the peace; and if such serjeant, drummer, or other person shall refuse to declare upon oath before such justice from whom he received such orders, it shall be lawful for such justice, and he is hereby required, by warrant under his hand and seal, to commit such serjeant, drummer, or other person, to the house of correction for any time not exceeding three months.

XXXVI. And be it further enacted, That the clerks of all Copies of rolls, sub-division or district meetings shall, within fourteen days after signed at every sub-division or district meeting, transmit to the clerk of the district meet. general meeting of the county, stewardry, city, or place, fair and transmitten rue copies of such rolls as shall be signed at such meeting.

XXXVII. And be it further enacted, That the money arising from penalties incurred for refusing to serve in the militia, or to find substitutes to serve in their room, shall be applied, by any two or more deputy lieutenants within their respective sub-division or districts, in providing substitutes for the persons who shall have served, &c. Application of penalties for refusing to serve, &c.

said such penalties, which substitutes shall be sworn in and enrolled to serve for the same term, and on the same conditions as herein-before provided in the case of substitutes provided by persons chosen by ballot; and if any surplus shall remain, the same shall be paid to the colonels or commanding officers of the respective regiments, battalions, or independent companies in which such persons ought to have served as militia men, and be applied as part of the regimental stock.

XXXVIII. And be it further enacted, That in all cases, in the County execution of this act, when any matter or thing is directed to be required of or examined into upon the oath of any witness or witnesses, before any lieutenant of any county, stewardry, city, or place, any deputy lieutenant or lieutenants, or justice or justices of the peace, any such lieutenant, deputy lieutenant, or lieutenants, or justice or justices of the peace, is or are hereby authorised to administer such oath to any witness or witnesses; and all other oaths to be taken in pursuance of this act shall and may be respectively administered by any lieutenant or deputy lieutenant.

XXXIX. And be it further enacted, That in the several counties, stewardries, cities, and places, where the number of militia is sufficient, the militia shall be formed into regiments consisting of not more than twelve, nor less than eight companies, of eighty private men to a company at the most, and sixty private men at the least; and the field officers of such regiments shall be as follows; (that is to say), One colonel, one lieutenant colonel, and one major; and where the number of militia men shall mount to a number under eight, and not less than five companies, such militia shall be formed into a battalion, and the field officers of such battalion shall be one lieutenant colonel and one major only; and where the number of private men shall amount to any number under five, and not less than three companies, such militia shall be formed into a battalion with one lieutenant colonel or major, and no other field officer; and in each regiment or battalion of militia there shall be one captain, one lieutenant, and one ensign to each company: provided always, That it shall be lawful for every battalion, consisting of five companies or upward, to have one company of grenadiers or light infantry, to which two lieutenants shall be appointed instead of one lieutenant and one ensign; and it shall be lawful for every regiment, consisting of eight companies or upward, to have one company of grenadiers

Anno regni tricesimo septimo GEORGII III. c. 103. [1796.]
 grenadiers and one company of light infantry; to each of which companies two lieutenants shall be appointed instead of one lieutenant and one ensign.

and where not, into independent companies.

His Majesty may form independent companies into a battalion, or incorporate them with other regiments.

County lieutenants may act as commanding officers of regiments, &c.

The senior officer to be invested with the powers of the colonel during his absence from Great Britain.

XL. And be it further enacted, That in the several counties, stewartries, cities, and places, where the number of militia men shall not be sufficient to form a regiment or battalion, according to the intent and meaning of this act, the militia of such counties, stewartries, cities, and places, shall be formed into independent companies, each company to consist of eighty private men at the most, and sixty private men at the least, with one captain, one lieutenant, and one ensign, to each company; and that his Majesty may, whenever he thinks proper, join together any number of such independent companies, and form a battalion, or battalions, or may incorporate them with any other regiment or battalion of militia, provided the number of companies in any such regiment or battalion be not thereby made to exceed the number of companies of which a regiment or battalion of militia is hereinbefore directed to consist.

XLI. And be it further enacted, That it shall be lawful for the lieutenant of any county, stewartry, city, or place, to act as colonel or commanding officer of any regiment, battalion, or independent company of militia for such county, stewartry, city, or place, for and during such time as there shall not be any colonel or commanding officer appointed to such regiment, battalion, or independent company; but no such lieutenant shall at any one time act as colonel or commanding officer to more than one body of militia, whether regiment, or battalion, or independent company; and where the lieutenant of any county, stewartry, city, or place, shall take the command of any body of militia, not being by this act deemed a regiment, he shall be entitled to the rank of colonel, except when the said company shall be formed into battalion as aforesaid, but shall receive no greater pay than the proper commanding officer of such body would be entitled to.

XLII. And be it further enacted, That when any colonel or other commanding officer of any regiment, battalion, or independent company, shall be absent from *Great Britain*, all the powers by this act given to such colonel or other commanding officer shall be vested in; and lawfully may be exercised by, the next officer in command in such regiment, battalion, or independent company, who shall be residing within *Great Britain*, until such colonel or other commanding officer shall be returned to *Great Britain*, and shall have notified his arrival to the clerk of the peace of the county, stewartry, city, or place, to which such regiment, battalion, or independent company belongs, and the clerk of the peace is hereby required forthwith, upon receipt of such notification, to transmit an account thereof to the officer who shall have been next in command as aforesaid; and all acts, matters, and things, done by such officer next in command as aforesaid, in exercising the powers given by this act to colonels and other commanding officers, shall be good and valid in the law equally.

equally as if they had been done by the colonel or commanding officer himself.

XLIII. And be it further enacted, That the colonel of each regiment or battalion of militia incorporated as aforesaid, shall appoint the adjutant, who shall have served, or shall at the time served, or shall of such appointment actually serve, in some of his Majesty's other forces, and who, during his service in the said militia, shall preserve his rank in the army in the same manner as if he had continued in that service.

XLIV. And be it further enacted, That his Majesty, His heirs and successors, may and shall appoint, according to the portion of one serjeant to twenty private men, two or more proper persons to be serjeants to every company in the said militia, out of and from his Majesty's other forces, such persons having served in the said forces for the space of three years next preceding their appointment to be serjeants as aforesaid, or may appoint such other persons to be serjeants as aforesaid, as have formerly served for the space of three years in his Majesty's said forces; and the service in the militia of such persons so appointed out of his Majesty's said forces shall entitle them to the benefit of Chelsea hospital, in the same manner as if they had continued to serve in the said forces; and every person appointed to be a serjeant as aforesaid, out of the pensioners on the establishment of Chelsea hospital, shall be entitled to be put again upon the said establishment, after he shall be discharged from the service of the militia, provided he brings a certificate of his good behaviour, under the hand of the colonel or commanding officer of the regiment or battalion in which he shall have served as aforesaid.

XLV. And be it further enacted, That the captain of every company of militia may and shall appoint two persons to be drummers to his company, and may and shall appoint corporals out of the private men of his company, in the proportion of one corporal to twenty private men, and may displace such drummers and corporals respectively for misbehaviour, and appoint others in their room, from time to time, as he shall see occasion, and may and shall appoint, with the approbation of his Majesty's lieutenant, serjeants out of the private men of his company, to fill up the vacancies of serjeants as may happen therein: and every such appointment shall be deemed an actual discharge of the person so appointed from serving in the militia as a private nilitia man; and that it shall be lawful for the colonel, or, in his absence, for the commanding officer of any battalion of militia, to displace, upon the application of the captain, any person so appointed a serjeant out of the private militia men.

XLVI. And be it further enacted, That no person who shall keep any house of publick entertainment, or who shall sell any ale, wine, brandy, or other spirituous liquors by retail, shall be capable of being or continuing a serjeant in the militia.

XLVII. And be it enacted, That no officer who is entitled to half pay shall be deemed or taken to forfeit or quit such half pay, during the time he shall serve as lieutenant, ensign, adjutant, &c. may

receive their half pay on taking the following battalion clerk, paymaster, quartermaster or surgeon, in any regiment, battalion, or independent company of militia, but that the same shall nevertheless continue, and instead of the oath directed by the act for punishing mutiny and desertion, and for the better payment of the army and their quarters, to be taken by such officer, he shall take the following oath:

oath.

' **I** A. B. do swear, That I had not, between the place or employment of profit civil or military, under his Majesty, besides my allowance of half pay as a reduced in late regiment of fave and except my pay as lieutenant, ensign, adjutant, battalion clerk, paymaster, quartermaster, or surgeon, [*as the case may be*], for serving in a regiment of militia.'

And the taking of the said oath shall, without taking any other oath, be sufficient to entitle such person to receive his half pay.

XLVIII. And be it further enacted, That any person being a serjeant on the establishment of *Chelsea* hospital, at the allowance of twelve pence a day, and being appointed to serve in the militia, shall and may receive the said allowance of twelve-pence a day, together with his pay from the said militia; and any person who shall have faithfully served as a serjeant in the militia for fifteen years, or as a corporal or drummer for twenty years, and who shall be discharged on account of age or infirmity, shall, on the recommendation of the commanding officer of the regiment, battalion, or independent company, to which he belongs, and the lieutenant, and two or more deputy lieutenants of the county, stewartry, city, or place, to which the said regiment, battalion or independent company belongs, or on the death or removal, or in the absence of the said lieutenant, by the commanding officer and three or more deputy lieutenants of such county, stewartry, city, or place, be entitled to examination at the *Chelsea* board, and be capable to be placed on the pension of five-pence per day, if the said board shall judge him deserving thereof: provided, that no person who shall be appointed a serjeant in the militia after the passing of this act, shall be entitled to such recompence, until he shall have served in the militia, or in the army and militia, for twenty years.

XLIX. And be it further enacted, That it shall be lawful for all justices of the peace, provost, or other chief magistrate of towns and all other officers having jurisdiction in such matters, and they are hereby required to quarter and billet the officers and private men serving in the militia, and whilst they shall continue to be embodied, in the same way and manner as his Majesty's regular and fencible forces are in use to be billeted and quartered in that part of *Great Britain* called *Scotland*, and shall likewise be provided with carriages on their march in the same manner as the said regular and fencibles forces are at present so furnished and provided in that part of *Great Britain* called *Scotland*; and all justices of the peace and other magistrates are hereby required to be

Serjeants of
Chelsea hos-
pital may
receive their
allowance
with their
pay.

What service
in the militia
shall entitle to
a recom-
mendation to the
Chelsea
pension.

The militia
to be billeted,
and carriages
provided on
their march
as for the
regular and
fencible
forces.

and assisting therein, in the same way and manner as they are now in use to assist in providing carriages and horses for his Majesty's forces upon their march.

L. And be it further enacted, That in case any militia man shall desert, or absent himself from his duty, and shall not return and does not or be taken within the space of three months from the time of return, or is so deserting or absenting himself, then, upon certificate thereof taken in from the commanding officer of the regiment, battalion, or independent company, to the deputy lieutenants, at any of their meetings for the sub-division or district for which such militia man was enrolled, such deputy lieutenants, or any two or more of them, are hereby required to hold a sub-division or district meeting, and to proceed to ballot for another person to serve and be returned to such regiment, battalion, or independent company, in the turns, or room of every such militia man; and in case such militia man shall at any time return or be taken, he shall, notwithstanding any person shall have been chosen in his room, be compelled to serve though in the same manner, and for the same term, as if no person had been so chosen in his room.

L I. And be it further enacted, That all muskets delivered for the service of the militia shall be marked distinctly, in some visible place, with the letter (*M*), and the name of the county, stewardry, city, or place, to which they belong; and in case any militia man shall sell, pawn, or lose, any of his arms, cloaths, or accoutrements, or neglect or refuse to return the same in good order to the captain, or to the person appointed to receive the same, every such militia man shall, for every such offence, forfeit and pay a sum not exceeding three pounds sterling; and if such militia man shall not immediately pay such penalty, the justice of the peace before whom he shall be convicted shall commit him to the house of correction for any time not exceeding three months, or until he shall have paid the said penalty.

L II. And be it further enacted, That if any person shall knowingly and willingly buy, take in exchange, conceal, or otherwise receive any arms, cloaths, or accoutrements, belonging unto any militia man, upon any account or pretence whatsoever, contrary to the true intent and meaning of this act, the person so offending shall forfeit and pay, for every such offence, the sum of five pounds sterling; and if such offender shall not immediately pay such penalty, and shall not have sufficient goods or effects whereon to levy such penalty, the justice before whom he shall be convicted, shall commit him to the common goal, there to remain, without bail, for the space of three months, or shall cause such offender to be publicly whipped, at the discretion of such justice.

L III. And be it further enacted, That any serjeant or corporal of the militia may, by sentence of a court martial, be reduced to the condition of a private soldier of the militia, to privates. Serjeants or corporals may be reduced to privates.

L IV. And be it further enacted, That it shall be lawful for His Majesty his Majesty, by order in council, to embody and call out the said six thousand men, and put them under the command of such embodied, and

put under the command of general officers, and led into any part of Scotland for preventing invasion, &c.

general officers as he shall be pleased to appoint over them; and to direct them to be led by their respective officers into any parts of that part of *Great Britain* called *Scotland*, for the preventing and repelling any invasion, and for the suppression of any rebellion or insurrection there; and the officers, non-commissioned officers, drummers, and private men of the several regiments, battalions, and independent companies of the militia, shall, from the time of their being drawn out and embodied as aforesaid, and until they shall be returned again by his Majesty's orders to their respective parishes or places of abode, remain under the command of such general officers; and during such time as aforesaid, all the provisions contained in any act of parliament which shall be then in force for punishing mutiny and desertion, and for the better payment of the army and their quarters, shall be in force with respect to the militia, and shall extend to all the officers, non-commissioned officers, drummers, and private men of the militia, in all cases whatsoever.

Militia not to be ordered out of Scotland.

LV. Provided always, and be it further enacted, That neither the whole, or any part of the militia directed by this act to be raised and maintained, shall on any account be carried or ordered to go out of that part of *Great Britain* called *Scotland*.

Non-commissioned officers and privates (wounded in service), entitled to Chelsea pension, and, if married, may set up in any part of Great Britain.

LVI. And be it enacted, That if any non-commissioned officer of the militia, or private militia man, shall be maimed or wounded in actual service, he shall be equally entitled to the benefit of *Chelsea* hospital with any non-commissioned officer or private soldier belonging to his Majesty's other forces; and that every such person, having served in the militia when called out into actual service, and being a married man, may set up and exercise any trade in any town or place within the kingdom of *Great Britain*, without any molestation for or by reason of the using such trade, in like manner as any person who has served in his Majesty's navy, or as a soldier in his regular land forces, may do.

County lieutenant to issue orders to the chief constable for the attendance of militia men.

LVII. And be it further enacted, That the lieutenant of every county, stewartry, city, and place, or on the death or removal of any such lieutenant, or in his absence from his county, stewartry, city, or place, any three or more deputy lieutenants, to whom any such order as aforesaid from his Majesty shall be directed, shall issue his or their order to the chief constable of the several divisions or districts, with directions to forward the same immediately to the constables or other officers of the several parishes and places within their respective divisions and districts, and such constables or other officers are hereby required, upon receipt hereof, forthwith to cause notice in writing to be given to the several militia men, or left at their usual places of abode, within their respective parishes, or places, to attend at the time and place mentioned in such order; and if any militia man so ordered to be drawn out and embodied as aforesaid (not labouring under any infirmity incapacitating him to serve as a militia man) shall not appear and march in pursuance of such order, every such militia man shall be liable to be apprehended and punished as a deserter,

Men not attending may be apprehended as deserters.

according

according to the provisions of any act which shall be then in force for punishing mutiny and desertion, and for the better payment of the army and their quarters; and if any person shall harbour and conceal any militia man, when ordered out into actual service, knowing him to be a militia man, every such person shall for every such offence, forfeit and pay the sum of five pounds sterling.

LVIII. And be it further enacted, That when the militia men shall be drawn out and embodied for actual service, and incorporated by command of his Majesty as aforesaid into a regiment, battalion, or other corps, and during the time they shall continue embodied and incorporated, the colonel, or where there is no colonel, the commanding officer of such regiment, battalion, or corps so embodied or incorporated as aforesaid, shall and may appoint an agent to such regiment, battalion, or corps and shall take security from such agent; and such colonel, and, where there is no colonel, the commanding officer, shall be and is hereby made subject and liable to make good all deficiencies that may happen from the said agent, or from himself, upon account of the pay, cloathing, or publick stock of such regiment, battalion, or corps.

LIX. And be it further enacted, That when the militia of any county, stewartry, city, or place, shall be ordered out into actual service, the collector of the cess for such county, stewartry, city or place, shall and is hereby required forthwith to pay, to the captain or other commanding officer of every company of militia so ordered out, the sum of one guinea for the use of every private militia man belonging to his company; and the said collector of the cess shall also pay to every captain and commanding officer of a company as aforesaid, the sum of one guinea or every recruit, as early as may be after such recruit shall have joined his company, while out in actual service as aforesaid; all which money so paid by the said collector of the cess shall be allowed to him in his account; and the money so received by any captain or other commanding officer (or so much thereof as such captain or commanding officer shall think proper) shall be paid out in the manner he shall think most advantageous for the respective militia men; and such captain and commanding officer shall, before any militia man of his company receives his discharge, account to such militia man how the said sum of one guinea hath been applied and disposed of, and shall pay the remainder of the money, if any, to the said militia man.

LX. And be it further enacted, That, from the day appointed by the lieutenant of every county, stewartry, city, or place, or in the death or removal of any such lieutenant, or in his absence from his county, stewartry, city or place, any three or more deputy lieutenants for the assembling of the militia as aforesaid, in pursuance of his Majesty's orders in council, the officers and private men of the militia shall be entitled to the same pay as the officers and private men of his Majesty's other regiments of foot receive, and no other.

Penalty for harbouring militia men.

Colonel to appoint an agent when the militia is embodied, for whom he is to be responsible.

When the militia is ordered out, the collector of the cess to pay a guinea for the use of each man to his captain, to be laid out for his use.

From the day of assembling the militia, the officers and privates entitled to the same pay as the other forces.

Recovery and application of penalties, not particularly provided for.

LXI. And be it further enacted, That all fines, penalties, and forfeitures by this act imposed, the manner of recovery whereof is not in this act particularly provided for, shall, on proof upon oath of the offence before any justice of the peace of the county, stewartry, or place, where the offence shall be committed, be levied by distress and sale of the offender's goods and effects, by warrant under the hand of such justice, rendering the overplus, if any, on demand, after deducting the charges of such distress and sale, to the offender upon whom such distress shall have been made; and where the goods and effects of such offender shall not be sufficient to answer such distress, such justice is hereby required to commit such offender to the common gaol of the county, stewartry, city, or place, where the offence shall have been committed, for any time not exceeding three months; and all fines, penalties, and forfeitures, by this act imposed, the application whereof is not otherwise particularly provided for, shall be paid to the clerk of the regiment, battalion, or other bodies of militia, or where there is no clerk the commanding officer of such regiment, battalion, or other bodies of militia, in the respective counties, stewartries, cities, or places, and shall be made a common stock in each county, stewartry, city, or place, wherein the same shall so arise, and the said clerk shall give a particular account thereof, as it shall arise, to any three deputy lieutenants, or to any two deputy lieutenants, together with any one justice of the peace, or to any one deputy lieutenant, together with any one justice of the peace, at their next meeting within their several sub-divisions; and the said deputy lieutenants, or any three of them, or any two deputy lieutenants together with any one justice of the peace, or any one deputy lieutenant together with any two justices of the peace, shall cause butts to be erected in some convenient place or places, and shall direct the clerk of the regiment or battalion to buy and provide, with some part of the money so arising, a proper quantity of gunpowder and ball, to be used at proper times by the militiamen in shooting at marks, and to apply and dispose of such other part of the money aforesaid, as they shall think reasonable, as some prize or prizes, to be given to such militia man or men as shall by the commanding officer then present be adjudged to be the best marksman or marksmen, and to apply the residue thereof to other contingencies relating to the militia within such division or district; and that in all cases when any person shall be committed to the county gaol by virtue of this act, he shall, during the time of such commitment, be kept to hard labour in such county gaol, or be fed upon bread and water.

Persons committed to gaol to be kept to hard labour, &c.

No order of his Majesty's lieutenants, &c. to be delayed by advocacy.

LXII. And be it further enacted, That no order made by any of his Majesty's lieutenants, or by any one or more deputy lieutenants, or by any two deputy lieutenants together with any one justice of the peace, or by any one deputy lieutenant together with any two justices of the peace, or by any justice or justices of the peace, by virtue of this act, shall be delayed or set aside by advocacy or suspension.

LXIII. And be it further enacted, That on the death of any of his Majesty's lieutenants, his deputy lieutenants shall continue to act and exercise all the authorities by this act committed to them, until his Majesty shall have appointed another lieutenant, and until commissions of deputy lieutenancy shall be by him issued.

LXIV. And be it further enacted, That if any action or actions, suit or suits, shall be brought or commenced against any person or persons for any thing done in pursuance of this act, such action or actions, suit or suits, shall be commenced within six calendar months after the fact committed, and not afterwards, and shall be laid in the county or place where such action or actions, suit or suits, did arise, and not elsewhere; and the defendant or defendants in such action or actions, suit or suits, to be brought, may deny the libel, and give this act and the special matter in evidence; and if such action or actions, suit or suits, shall be brought after the time for bringing the same, or if the defendant or defendants shall be affoiled in such action or actions, or if the pursuer or pursuers shall be nonsuited, or discontinue his or their action or actions, suit or suits, after the defendant shall have appeared, the defendant or defendants shall have treble costs, and have the like remedy for the same as any defendant or defendants hath or have in other cases to recover costs by the laws of Scotland.

LXV. Provided always, and be it further enacted, That it shall be lawful for his Majesty, by order in council, to suspend the execution of this act, either absolutely, or for any limited time, and so from time to time as his Majesty shall see occasion, and to order and direct that all proceedings in the further execution of this act shall cease, either absolutely, or during such time as in any such order in council shall be limited for that purpose, and thereupon all such further proceedings shall cease accordingly; any thing in this act contained to the contrary notwithstanding.

LXVI. And be it further enacted, That this act shall be and continue in force during the present war, and for the space of one calendar month after the end thereof.

C A P. CIV.

An act for regulating the shipping and carrying of slaves in British vessels from the coast of Africa.—[July 19, 1797.]

XXV. And whereas by an act, passed in the thirty-second year of the reign of his present Majesty, and which was afterwards continued by several subsequent acts passed in the thirty-third, thirty-fourth, and thirty-fifth years of his said present Majesty's reign, it was enabled, That, from and after the first day of August one thousand seven hundred and ninety-two, it shall not be lawful for any person to become a master, or take or have the command or charge of any such ship or vessel, at the time he shall clear out from any port of Great Britain for purchasing and carrying slaves from the coast of Africa, unless such master or person taking or having the charge or command of any such ship or vessel

shall have made oath, and delivered into the collector or other chief officer of the customs at the port where such ship or vessel shall clear out, a certificate, attested by the respective owner or owners, that he has already served in such capacity during one voyage, or shall have served as chief mate or surgeon during the whole of two voyages, or either as chief or other mate during three voyages, in purchasing and carrying slaves from the coast of Africa, under pain that such master or other person taking or having the charge or command of any such ship or vessel, and also the owner or owners who shall hire or employ such person, shall, for every such offence, respectively forfeit and pay the sum of five hundred pounds: and whereas doubts have arisen respecting the construction of the above mentioned clause, whether the certificate therein required to be delivered in to the collector or other chief officer of the customs, should be attested by the respective owner or owners of any ship or vessel wherein the person or persons then about to take the command of the ship or vessel required to be cleared out, had formerly sailed in first or one of the capacities by the said act specified and required, or by the respective owner or owners of the ship or vessel in which such person or persons was or were then about to sail as the master or commander thereof, as believing the facts stated in the affidavit of such person or persons then about to have or take the charge or command of any such ship or vessel, to be true: and whereas, in consequence of such doubts, the collectors or other chief officer of the customs at the ports of London and Liverpool, doubting the meaning and construction of the said acts, have required and taken certificates attested in both the ways before mentioned, and cleared out ships or vessels under each form of certificate, in consequence of which great inconveniences have arisen, and doubts have been made touching the legality of the policies of insurance made upon such ships or vessels; be it therefore further enacted by the authority aforesaid, That nothing in the said former acts of parliament herein before mentioned, or in any of them contained, shall extend, or be construed to extend, impeach, invalidate, or make void, any policy or policies of insurance which shall have been made before the passing of this act, by reason or in consequence of any certificate or certificates which have been required and given in order to the clearing out any ship or vessel, employed in the slave trade, to the coast of Africa, by the owner or owners of the ship or vessel then about to clear out and to sail, or by the owner or owners of some other ship or vessel in whose employ the person then about to sail had been formerly employed and sailed; or to inflict any penalty or penalties upon the owner or owners of such ship or vessel.

Policies of
insurance
made before
the passing of
this act, not
to be void by
reason of
certificates
given under
recited acts,
&c.

That nothing in the said former acts of parliament herein before mentioned, or in any of them contained, shall extend, or be construed to extend, impeach, invalidate, or make void, any policy or policies of insurance which shall have been made before the passing of this act, by reason or in consequence of any certificate or certificates which have been required and given in order to the clearing out any ship or vessel, employed in the slave trade, to the coast of Africa, by the owner or owners of the ship or vessel then about to clear out and to sail, or by the owner or owners of some other ship or vessel in whose employ the person then about to sail had been formerly employed and sailed; or to inflict any penalty or penalties upon the owner or owners of such ship or vessel.

C A P. CV.

An act for granting to his Majesty several additional duties on inhabited houses.—[July 19, 1797.]

Preamble.

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the commons of Great Britain, in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making an addition to the publick revenue, have

have freely and voluntarily resolved to give and grant unto your Majesty the duties herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the fifth day of July one thousand seven hundred and ninety-seven, there shall be raised, levied, collected, and paid, unto and for the use of his Majesty, his heirs and successors, throughout the kingdom of Great Britain, inhabited houses, as herein-after mentioned; (that is to say),

From July 1797, additional duties to be paid on inhabited houses.

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of Great Britain, having less than seven windows or lights, and which is or shall be subject to 7 windows,
the duty upon inhabited houses, granted by an act of the nineteen-
teenth year of his present Majesty's reign, the yearly sum of one
shilling:

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of Great Britain, having seven windows or lights, or which is or ought to be rated under the authority of an act of the sixth year of the reign of his present Majesty, intituled, *An act for repealing the several duties upon houses, windows, and lights, and for granting to his Majesty other duties upon houses, windows, and lights,* the yearly sum of two shillings:

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of Great Britain, having eight windows or lights, which is or ought to be rated under the said last-mentioned act, the yearly sum of two shillings and sixpence:

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of Great Britain, having nine windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of three shillings:

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of Great Britain, having ten windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of four shillings:

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of Great Britain, having eleven windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of four shillings and sixpence:

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of Great Britain, having twelve windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of five shillings and sixpence:

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of Great Britain, having thirteen windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of six shillings and sixpence:

For

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- For 14.—7s. For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having fourteen windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of seven shillings and sixpence:
- For 15.—9s. For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having fifteen windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of nine shillings:
- For 16.—10s. For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having sixteen windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of ten shillings:
- For 17.—11s. For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having seventeen windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of eleven shillings and sixpence:
- For 18.—12s. For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having eighteen windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of twelve shillings and sixpence:
- For 19.—13s. For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having nineteen windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of thirteen shillings and sixpence:
- For 20.—15s. For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having twenty windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of fifteen shillings:
- For 21.—16s. For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having twenty-one windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of sixteen shillings:
- For 22.—17s. For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having twenty-two windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of seventeen shillings:
- For 23.—18s. For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having twenty-three windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of eighteen shillings and sixpence:
- For 24.—1l.
1s. For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having twenty-four windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of one pound and one shilling:

For

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having twenty-five windows or lights and not more than twenty-nine windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of one pound and three shillings :

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having thirty windows or lights and not more than thirty-four windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of one pound six shillings and sixpence :

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having thirty-five windows or lights and not more than thirty-nine windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of one pound ten shillings and sixpence :

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having forty windows or lights and not more than forty-four windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of one pound and fifteen shillings :

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having forty-five windows or lights and not more than forty-nine windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of two pounds :

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having fifty windows or lights and not more than fifty-four windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of two pounds and five shillings :

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having fifty-five windows or lights and not more than fifty-nine windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of two pounds and ten shillings :

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having sixty windows or lights, and not more than sixty-four windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of two pounds and fifteen shillings :

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having sixty-five windows or lights and not more than sixty-nine windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of three pounds :

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having seventy windows or lights and not more than seventy-four windows or lights, which is or ought to be rated under the last-mentioned

For 75, and
not more than
79.—3l. 10s.
mentioned act, the yearly sum of three pounds and five shillings:

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having seventy-five windows or lights and not more than seventy-nine windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of three pounds and ten shillings:

For 80, and
not more than
84.—3l. 15s.
For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having eighty windows or lights and not more than eighty-four windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of three pounds and fifteen shillings:

For 85, and
not more than
89.—4l.
For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having eighty-five windows or lights and not more than eighty-nine windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of four pounds:

For 90, and
not more than
94.—4l. 5s.
For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having ninety windows or lights, and not more than ninety-four windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of four pounds and five shillings:

For 95, and
not more than
99.—4l. 10s.
For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having ninety-five windows or lights and not more than ninety-nine windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of four pounds and ten shillings:

For 100, and
not more than
109.—5l.
For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having one hundred windows or lights and not more than one hundred and nine windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of five pounds:

For 110, and
not more than
119.—5l. 10s.
For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having one hundred and ten windows or lights and not more than one hundred and nineteen windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of five pounds and ten shillings:

For 120, and
not more than
129.—6l.
For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having one hundred and twenty windows or lights and not more than one hundred and twenty-nine windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of six pounds:

For 130, and
not more than
139.—6l. 10s.
For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having one hundred and thirty windows or lights and not more than one hundred and thirty-nine windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of six pounds and ten shillings:

For 140, and
not more than
147.—7l.
For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of *Great Britain*, having one hundred

hundred and forty windows or lights and not more than one hundred and forty-nine windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of seven pounds:

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of Great Britain, having one hundred and fifty windows or lights and not more than one hundred and fifty-nine windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of seven pounds and ten shillings: For 150, and not more than 159, —7l. 10s.

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of Great Britain, having one hundred and sixty windows or lights and not more than one hundred and sixty-nine windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of eight pounds and five shillings: For 160, and not more than 169, —8l. 5s.

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of Great Britain, having one hundred and seventy windows or lights and not more than one hundred and seventy-nine windows or lights, which is or ought to be rated under the last-mentioned act, the yearly sum of nine pounds: For 170, and not more than 179, —9l.

For every dwelling house inhabited, or which hereafter shall be inhabited, within the kingdom of Great Britain, having one hundred and eight windows or lights and upwards, which is or ought to be rated under the last-mentioned act, the yearly sum of ten pounds. For 180, and upwards, —10l.

II. And be it further enacted, That the said additional rates Duties to be and duties hereby imposed, shall be paid over and above, and in paid in addition to, the respective rates and duties on houses, granted by the acts of the sixth, the nineteenth, and the twenty-fourth years of his present Majesty, or any other act or acts now in force. Duties to be paid in addition to those now payable on houses.

III. And be it further enacted, That the said several rates and Duties to be duties by this act imposed, shall be subject and liable to an additional duty after the rate of twenty pounds *per centum per annum*, on the produce and amount contained in any assessment thereof. Duties to be liable to addition of 20l. per cent. on the amount.

IV. And be it further enacted, That, for the better assessing, levying, collecting, and paying the before-mentioned duties by this act imposed, the commissioners authorised or appointed, or affairs of taxes who shall hereafter be authorised or appointed, for putting in execution the acts relative to the present duties on houses and windows or lights, and inhabited houses, or any other duties placed under the management of the commissioners for the affairs of taxes, shall be commissioners for executing this present act, with relation to the aforesaid duties, and the powers herein contained, in all and singular the counties, shires, stewardries, ridings, divisions, cities, boroughs, cinque ports, towns, and places respectively, within the kingdom of Great Britain; and that the said several surveyors, inspectors, assessors, and collectors respectively appointed, or who shall be appointed in manner aforesaid, shall

shall be surveyors, inspectors, assessors, and collectors, to put in execution this present act according to the respective powers and authorities given to them by the said former acts, or any of them; and the said commissioners, and other the persons aforesaid being duly qualified to act in the execution of the said several acts as before mentioned, shall, and they are hereby respectively empowered and required to do all things necessary for putting this act in execution with relation to the aforesaid rates or duties hereby imposed, in the like and in as full and ample a manner as they, or any of them, are or is authorised to put in execution the several acts relative to the rates and duties on windows or lights, and houses, or any matter or thing therein respectively contained.

Mode of making the assessments of 20l. per cent. and returning them to the commissioners.

V. And be it further enacted, That it shall and may be lawful to and for the several assessors, in making the assessment under this present act of the additional duty after the rate of twenty pounds *per centum*, to assess the sum of twenty pounds *per centum* upon the amount of all the former rates and duties contained in any assessment, whereon the rates of twenty pounds *per centum* are imposed by any act or acts of parliament, and the rates and duties imposed by this act, in one sum, and by one assessment and charge, instead of distinct assessments and charges, and to return the same to the respective commissioners, in the manner and under the regulations and directions prescribed by an act, passed in the present session of parliament, intituled, *An act for granting to his Majesty additional duties on the amount of certain duties under the management of the commissioners for the affairs of taxes*; and that the respective collectors shall and may collect and receive the said duties accordingly.

First assessment to be for three quarters, from July 5, 1797, and afterwards for a year, and paid quarterly.

VI. Provided always, and be it further enacted, That the first assessment under this act shall be made for three quarters of a year from the fifth day of *July* one thousand seven hundred and ninety-seven; and that, from and after the fifth day of *April* one thousand seven hundred and ninety-eight, the assessments under this act shall be made for one whole year from the fifth day of *April* in each year; and that the duties so to be assessed shall be paid quarterly, at the times and in manner following; that is to say, On the fifth day of *January*, the fifth day of *April*, the fifth day of *July*, and the tenth day of *October*, in every year, by equal portions, the first of the said payments on the said assessment for three quarters of a year, to be made on the tenth day of *October* one thousand seven hundred and ninety-seven.

Duties to be assessed, &c. as other duties under the management of the commissioners for taxes.

VII. And be it further enacted, That the said several rates and duties by this act imposed, shall severally and respectively be assessed, raised, levied, collected, and received, in such and the like form and manner, and with such allowances, and under such penalties, forfeitures, and disabilities, and according to such rules, methods, and directions, as are prescribed and appointed by any act or acts of parliament for assessing, raising, levying, collecting, receiving, and paying, the duties on houses, windows, or lights, granted by the acts of the sixteenth and twenty-fourth years of the reign of his present Majesty, and the duties on

on inhabited houses granted by an act of the nineteenth year of the reign of his present Majesty, or any other duties under the management of the commissioners for the affairs of taxes, or by any of them, so far as the same now remain in force, and are applicable to the said several and respective duties, or any of them, and are not altered by this act; and that all and every the powers, authorities, rules, directions, penalties, exemptions, forfeitures, clauses, matters, and things, now in force, contained in the said several acts, or any of them, or any act or acts therein referred to, for the assessing, raising, levying, collecting, and paying, the rates and duties thereby granted, shall be in full force, and be duly observed, practised, and put in execution, throughout the kingdom of Great Britain, for the assessing, raising, levying, collecting, and paying, the several duties by this act granted, as fully and effectually, to all intents and purposes, as if the same powers, authorities, rules, directions, penalties, exemptions, forfeitures, clauses, matters, and things, were particularly repeated and re-enacted in this act.

VIII. And be it further enacted, That all monies arising by the said rates and duties hereby imposed, (the necessary charges of raising and accounting for the same excepted), shall, from time to time, be paid into the receipt of his Majesty's exchequer, and shall be carried to, and made part of the consolidated fund.

Duties to be carried to the consolidated fund.

IX. Provided always, and be it further enacted, That the monies arising, or to arise, of the said duties by this act imposed, or so much thereof as shall be sufficient, shall be deemed an addition made to the revenue for the purpose of defraying the increased charge occasioned by any loan raised, or stock created, by virtue of any act or acts passed in this session of parliament; and that the said monies shall, during the space of ten years next ensuing, be paid into the said receipt distinctly and apart from all other branches of the publick revenue; and that there shall be provided and kept in the office of the auditor of the said receipt during the said period of ten years, a book or books in which all the monies arising from the said duties, and paid into the said receipt, shall, together with the monies arising from any other rates and duties granted, or to be granted, in this session of parliament, for the purpose of defraying such increased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatever.

Application of duties, which, for ten years, are to be kept, with others granted for the same purpose, separate from all other monies.

C A P. CVI.

An act for granting to his Majesty additional duties on certain horses, before charged with a duty of two shillings by an act of the thirty-sixth year of his present Majesty's reign, and on mules.—[July 19, 1797.]

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects the Preamble. commons of Great Britain, in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick

publick expences, and making an addition to the publick revenue, have freely and voluntarily resolued to give and grant unto your Majesty the additional duties herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That every person who, from and after the fifth day of July one thousand seven hundred and ninety-seven, shall keep any horse, mare, or gelding, or any mule, charged with a duty of two shillings by an act of the thirty-sixth year of his present Majesty's reign, shall yield and pay annually an additional duty of three shillings for each such horse, mare, gelding, or mule; which said duty shall also be subject to an additional duty after the rate of twenty pounds *per centum* on the produce and amount contained in any assessment thereof.

II. Provided always, and be it further enacted, That no person who shall serve in any volunteer corps raised by virtue of any act or acts of parliament now in force, and shall provide a horse, mare, or gelding, liable to the duties by this act imposed, for such service, or who shall, at his or her expence, furnish a horse, mare, or gelding, liable to the said duties, for any person serving in any such corps as aforesaid, shall be charged or chargeable for such horse, mare, or gelding, with the additional duties by this act imposed, or the former duties imposed by an act, passed in the thirty-sixth year of the reign of his present Majesty, intituled, (*An act for granting to his Majesty new duties on certain horses not charged with the duty by any other act or acts of parliament, and on mules.*)

III. And be it further enacted, That for the better assessing, levying, collecting, and paying, the before-mentioned duties by this act imposed, the commissioners authorised or appointed, or who shall be hereafter authorised or appointed, for putting in execution the acts relative to the present duties on houses and windows or lights, and inhabited houses, or any other duties placed under the management of the commissioners for the affairs of taxes, shall be commissioners for executing this present act with relation to the aforesaid duties, and the powers therein contained, in all and singular the counties, shires, stewartries, ridings, divisions, cities, boroughs, cinque ports, towns, and places respectively, within the kingdom of Great Britain; and that the several surveyors, inspectors, assessors, and collectors, respectively appointed to put in execution the said several acts before mentioned, or any of them, shall be surveyors, inspectors, assessors, and collectors, to put in execution this present act, according to the respective powers and authorities given to them by the said former acts, or any of them; and the said commissioners, and other the persons aforesaid, being duly qualified to act in the execution of the said several acts before mentioned, relative to the said former rates or duties, or any of them, shall, and they are hereby respectively empowered and required to do all things necessary for putting this

Additional duty of 3s. to be paid for every horse, &c. chargeable under 36 Geo. 3. c. 15. and to be subject to 20l. per cent.

Horses furnished for volunteer corps exempted from duties imposed by this act, and 36 Geo. 3. c. 15.

Duties to be under the management of the commissioners for the affairs of taxes.

this act in execution, with relation to the duties hereby imposed, in the like and in as full and ample a manner as they, or any of them, are or is authorised to put in execution the said former acts relative to the said rates and duties, any matters or things therein respectively contained.

IV. And be it further enacted, That, from and after the fifth day of April one thousand seven hundred and ninety-eight, it shall be lawful to and for the several assessors, in making the several assessments of two shillings and three shillings under this present act, and the act of the thirty-sixth year of his present Majesty's reign, before mentioned, to make one assessment at the rate of five shillings for each horse, mare, gelding, or mule, assessed by this act, instead and in lieu of the said two several assessments; and in making the several assessments under this present act of the additional duty after the rate of twenty pounds *per centum*, and of the duties of ten pounds *per centum*, and of ten pounds *per centum* under the act of the thirty-sixth year of his present Majesty's reign, before mentioned, to make one assessment after the rate of twenty pounds upon the amount of the said respective duties, together with such other duties as shall be included in the same assessment, and to return the same to the respective commissioners, in the manner, and under the regulations and directions, prescribed by an act, passed in the present session of parliament, intituled, *An act for granting to his Majesty additional duties on the amount of certain duties under the management of the commissioners for the affairs of taxes*; and that the respective collectors shall and may collect and receive the said duties accordingly.

V. Provided always, and be it further enacted, That the first assessment under this act of the duties hereby imposed, shall be made for three quarters of a year, from the fifth day of July one thousand seven hundred and ninety-seven, and afterwards the assessment of the duties charged by this act shall be made for one year, and that the duties, so to be assessed under this act, shall be paid quarterly, at the times and in manner following; (that is to say), and to be paid On the fifth day of January, the fifth day of April, the fifth day of July, and the tenth day of October, in every year, by equal portions; the first of the said payments on the said assessment for three-quarters of a year, to be made on the tenth day of October one thousand seven hundred and ninety-seven.

VI. And be it further enacted, That the several duties by this act imposed shall and may be ascertained, managed, collected, paid over, and accounted for, under such penalties, forfeitures, and disabilities, and according to such general rules, methods, and directions, by which the rates and duties on horses kept and used for the purpose of riding, or for the purpose of drawing, or by which the rates and duties granted by the said act of the thirty-sixth year of his present Majesty's reign, before mentioned, are or may be ascertained, managed, collected, paid, recovered, paid over, and accounted for, except as far as any of the said rules, methods, and directions, are expressly varied by this

act; and all and every the powers, authorities, rules, directions, penalties, forfeitures, clauses, matters, and things, contained in any act or acts of parliament relative to the said rates and duties, or any of them, now in force, and not hereby otherwise provided for, the surcharging, recovering, paying, and accounting for the said rates and duties, by any of the said former acts granted, as far as the same are applicable to the duties by this act imposed, shall be in full force and duly observed, practised, and put in execution, throughout the kingdom of *Great Britain*, for surcharging, recovering, paying, and accounting for the duties by this act granted, as fully and effectually to all intents and purposes as if the same powers, authorities, rules, directions, penalties, forfeitures, clauses, matters, and things, were particularly repeated and re-enacted in the body of this present act.

Duties to be carried to the consolidated fund.

Application of duties which from 10 years shall, with others granted for the same purpose, be kept separate from all other monies.

VII. And be it further enacted, That all monies arising by the said duties (the necessary charges of raising and accounting for the same excepted), shall from time to time be paid into the receipt of his Majesty's exchequer, and shall be carried to and made part of the consolidated fund.

VIII. Provided always, and be it further enacted, That the monies arising or to arise of the said duties, or so much thereof as shall be sufficient, shall be deemed an addition made to the revenue for the purpose of defraying the increased charge occasioned by any loan raised or stock created by virtue of any act or acts passed in this session of parliament; and that the said monies shall, during the space of ten years next ensuing, be paid into the said receipt distinctly and apart from all other branches of the publick revenue; and that there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book or books, in which all the monies arising from the said duty, and paid into the said receipt, shall, together with the monies arising from any other rates and duties granted or to be granted in this session of parliament, for the purpose of defraying such increased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatever.

C A P. CVII.

An act for granting to his Majesty additional duties on male servants.
—[July 19, 1797.]

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making an addition to the publick revenue, have freely and voluntarily resolved to give and grant unto your Majesty the additional duties herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent

1796.] Anno regni tricesimo septimo GEORGI^{III}. c. 107. 387
consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, From July 5, 1797, the following annual That, from and after the fifth day of July one thousand seven hundred and ninety-seven, there shall be raised, levied, collected, and paid, unto and for the use of his Majesty, his heirs and successors, throughout the kingdom of Great Britain, the several duties following; that is to say,

That every person who shall retain or employ two male servants, and no more within the kingdom of Great Britain, for or in respect whereof any rate or duty is payable by virtue of an act passed in the twenty-fifth year of the reign of his present Majesty, shall be charged with an additional yearly duty of ten shillings for each of such servants:

That every person who shall retain or employ three such male servants, or four male servants, and no more, shall be charged four, with an additional yearly duty of fifteen shillings for each such servant:

That every person who shall retain or employ more than four such male servants, shall be charged with an additional yearly duty of one pound for each such servant.

II. And be it enacted, That the said additional rates and duties hereby imposed shall be paid over and above and in addition to the rates and duties on male servants granted by an act passed in the twenty-fifth year of the reign of his present Majesty, or any other act or acts in force on and immediately before the passing of this act.

III. And be it further enacted, That the said rates and duties by this act imposed shall respectively be subject and liable to an additional duty after the rate of twenty pounds per centum per annum, on the produce and amount contained in any assessment thereof.

IV. And be it further enacted, That, for the better assessing, levying, collecting, and paying, the said additional duties by this act imposed, the commissioners authorised or appointed, or who shall hereafter be appointed, for putting in execution the several acts relative to the present duties on male servants, or any other duties placed under the management of the commissioners for the affairs of taxes, shall be commissioners for executing this act with relation to the aforesaid duties, and the powers herein contained, in all and singular the counties, shires, stewartries, ridings, divisions, cities, boroughs, cinque ports, towns, and places respectively within the kingdom of Great Britain; and that the several surveyors, inspectors, assessors, and collectors respectively appointed, or who shall be appointed, shall be surveyors, inspectors, assessors, and collectors, to put in execution this present act, according to the respective powers and authorities given to them by the said former acts, or any of them; and the said commissioners and other the persons aforesaid, being duly qualified to act in the execution of the said several acts as before mentioned,

For two,
ros. each :

3, c. 43.

For two,
ros. each :

3, c. 43.

For two,
ros. each :

3, c. 43.

shall, and they are hereby respectively empowered and required to do all things necessary for putting this act in execution with relation to the aforesaid rates or duties hereby imposed, in the like and in as full and ample a manner as they or any of them are or is authorised to put in execution the several acts relative to the several rates and duties on male servants, or any matters or things therein respectively contained.

Mode of making the assessments of 20. per cent. and returning them to the commissioners.

V. And be it further enacted, That it shall and may be lawful to and for the several assessors, in making the assessments under this act of the additional duty after the rate of twenty pounds *per centum*, to assess the sum of twenty pounds *per centum* upon the amount of all the former rates and duties contained in any assessment whereon the rates or duties of twenty pounds *per centum* are imposed by any act or acts of parliament, and the rates and duties imposed by this act, in one sum and by one assessment and charge, instead of distinct assessments and charges, and to return the same to the respective commissioners in the manner and under the regulations and directions prescribed by an act, passed in this present session of parliament, intituled, *An act for granting to his Majesty additional duties on the amount of certain duties under the management of the commissioners for the affairs of taxes*; and that the respective collectors shall and may collect and receive the said rates and duties accordingly.

First assessment to be for three quarters, from July 5, 1797, and afterwards for a year, and to be paid quarterly.

Duties to be assessed, &c. as others under the management of commissioners for taxes.

VI. Provided always, and be it enacted, That the first assessment under this act shall be made for three quarters of a year, from the fifth day of *July* one thousand seven hundred and ninety-seven; and that, from and after the fifth day of *April* one thousand seven hundred and ninety-eight, the assessments under this act shall be made for one year, from the fifth day of *April* in each year; and that the duties so to be assessed shall be paid quarterly, at the times and in manner following; (that is to say), On the fifth day of *January*, the fifth day of *April*, the fifth day of *July*, and the tenth day of *October*, in every year, by equal portions; the first of the said payments on the said assessment for three quarters of a year to be made on the tenth day of *October* one thousand seven hundred and ninety-seven.

VII. And be it further enacted, That the said several rates and duties by this act imposed shall severally and respectively be assessed, raised, levied, collected, and received, in such and the like form and manner, and with such allowances, and under such penalties, forfeitures, and disabilities, provisoies, and exemptions, and according to such rules, methods, and directions, as are prescribed and appointed by any act or acts of parliament for assessing, raising, levying, collecting, receiving, and paying over, the duties on male servants granted by the said act of the twenty-fifth year of the reign of his present Majesty, or any other rates and duties under the management of the commissioners for the affairs of taxes, or any of them, so far as the same now remain in force and are applicable to the said several and respective duties, or any of them, and are not altered by this act; and that all and every the powers, authorities, rules, directions, penalties, forfeitures,

feitures, exemptions, clauses, matters, and things, now in force, contained in the said several acts, or any of them, or any act or acts therein referred to, for the assessing, raising, levying, surcharging, collecting, and paying over, the rates and duties thereby granted, shall be in full force, and be duly observed, practised, and put in execution, throughout the kingdom of *Great Britain*, for the assessing, raising, levying, surcharging, collecting, and paying, the several additional duties by this act imposed, as fully and effectually, to all intents and purposes, as if the same powers, authorities, rules, directions, penalties, forfeitures, exemptions, provisoies, clauses, matters, and things, were particularly repeated and re-enacted by this act.

VIII. And be it further enacted, That all monies arising by the Duties to be said rates and duties hereby imposed, (the necessary charges of raising and accounting for the same excepted), shall, from time carried to the to time, be paid into the receipt of his Majesty's exchequer, and consolidated fund.

IX. Provided always, and be it enacted, That the monies arising or to arise of the said duties by this act imposed, or so much thereof as shall be sufficient, shall be deemed an addition made to the revenue for the purpose of defraying the increased charge occasioned by any loan raised or stock created by virtue of any act or acts passed in this session of parliament, and that the said monies shall, during the space of ten years next ensuing, be paid into the said receipt, distinctly and apart from all the other branches of the publick revenue; and that there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book or books, in which all the monies arising from the said duties and paid into the said receipt, shall, together with the monies arising from any other rates and duties granted, or to be granted, in this session of parliament, for the purpose of defraying such increased charge as aforesaid, be entered, separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatever.

Application
of duties,
which for
10 years,
are, with
others granted
for the same
purpose, to be
kept separate
from all other
monies.

C A P. CVIII

An act for granting to his Majesty certain duties on clocks and watches.—[July 19, 1797.]

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the Preamble. commons of *Great Britain* in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making a permanent addition to the publick revenue, have freely and voluntarily resolved to give and grant unto your Majesty the duties herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal,

From July 5, 1797, the following annual duties to be paid:

and commons, in this present parliament assembled, and by the authority of the same, That, from and after the fifth day of July one thousand seven hundred and ninety-six, there shall be charged, assessed, and paid, unto his Majesty, his heirs and successors, throughout the kingdom of Great Britain, the several duties herein-after mentioned; that is to say,

For every clock, 5s.

For and upon every clock or timekeeper, by whatever name the same shall be called, which shall be used for the purpose of a clock, and placed in or upon any dwelling house, or any office or building thereunto belonging, or any other building whatever, whether private or publick, belonging to any person or persons, or company of persons, or any body corporate or politick, or collegiate, or which shall be kept and used, by any person or persons in Great Britain, there shall be charged an annual duty of five shillings:

For every gold watch, or enamelled on gold, 10s.

For and upon every gold watch, or watch enamelled on gold, or gold timekeeper used for the purpose of a watch, by whatever name the same shall be called, which shall be kept, and worn, or used, by any person or persons in Great Britain, there shall be charged an annual duty of ten shillings:

For every silver or metal watch, 2s. 6d.

And for and upon every silver or metal watch, or silver or metal timekeeper used for the purpose of a watch, or any other watch, or timekeeper used for the like purpose, not before charged, of whatever materials the same shall be made, and by whatever name the same shall be called, which shall be kept, and worn, or used, by any person, there shall be charged an annual duty of two shillings and sixpence:

The said several duties to be paid by the respective proprietors of such clocks, watches, and time keepers.

What watches shall be deemed gold.

II. And be it further enacted, That every watch, of which the outer or the inner case shall be made of gold, or shall be enamelled on gold, shall be charged with the duty hereby imposed on gold watches.

Duties to be under the management of the commissioners of taxes.

III. And be it further enacted, That the commissioners authorised or appointed, or who shall be hereafter authorised or appointed, to put in execution the acts relative to any of the present duties placed under the management of the commissioners for the affairs of taxes, shall be commissioners for executing this present act, and the powers herein contained, with relation to the duties hereby granted, as before mentioned, in all the counties, ridings, divisions, shires, stewartries, cities, boroughs, cinque ports, towns, and places respectively, within the kingdom of Great Britain; and that the several surveyors, inspectors, assessors, and collectors, respectively appointed or to be appointed to put in execution the said acts relative to the said present duties under the management of the said commissioners for the affairs of taxes, or any of them, shall be surveyors, inspectors, assessors, and collectors, to put in execution this present act, with relation to the duties hereby granted, as before mentioned, according to the powers

powers given to them respectively by the said acts, or any of them, and not hereby altered, or according to the powers given to them by this act; and the said commissioners, and other the persons aforesaid, being respectively duly qualified to act in the execution of any of the said acts before mentioned, shall and they are hereby respectively empowered and required to do all things necessary for putting this act in execution with relation to the said duties hereby granted, as before mentioned, in the like and in as full and ample a manner as they, or any of them, are or is authorised to put in execution the said acts relative to the said present duties under the management of the said commissioners for the affairs of taxes, or any matters or things therein respectively contained.

IV. And be it further enacted, That the aforesaid duties by Duties to be this act granted, shall and may be ascertained, managed, col. ascertained, lected, recovered, paid over, and accounted for, under such &c. as other penalties, forfeitures, and disabilities, and according to such rules, their manage- methods, directions, and provisions, by which the rates and ment. duties now placed under the management of the commissioners for the affairs of taxes, or any of them, are or is, or may be ascertained, managed, collected, paid, recovered, paid over, and accounted for, except as far as any of the said rules, methods, directions, and provisions, are expressly varied by this act; and all and every the powers, authorities, rules, directions, penalties, forfeitures, clauses, matters, and things, contained in any act or acts relative to the said rates and duties, or any of them, now in force, for the surcharging, mitigating, recovering, paying, and accounting for the rates and duties by any former acts granted, as far as the same are applicable to the aforesaid duties granted by this act, and not expressly varied, or otherwise provided for, shall be in full force, and duly observed, practised, and put in execution throughout the kingdom of Great Britain, for surcharging, mitigating, recovering, paying, and accounting for the aforesaid duties granted by this act, as fully and effectually, to all intents and purposes, as if the same powers, authorities, rules, directions, penalties, forfeitures, clauses, matters, and things, were particularly repeated and re-enacted in the body of this act.

V. And be it further enacted, That the said commissioners hereby appointed to put in execution this act shall, in their respective counties, ridings, divisions, shires, stewartries, cities, boroughs, cinque ports, towns, and places, for which they are or shall be appointed commissioners respectively, meet for the first time on or before the first day of August one thousand seven hundred and ninety-seven, or on such other day as the said commissioners, or any two or more of them, shall think proper to appoint, not later than the fifteenth day of September one thousand seven hundred and ninety-seven, and proceed in the execution of this act in such and the same manner as is prescribed by any act or acts with respect to the rates and duties before mentioned, under the management of the said commissioners for the affairs of taxes, (except where any alteration is made by this act); and

who shall give the said commissioners shall, at such their meeting, cause notice to be given to the persons appointed within their respective districts or divisions to be assessor or collectors under the said acts before mentioned, or any of them, that such persons are also appointed respectively assessors or collectors of the duties granted by this act.

Assessors to leave notice yearly at the houses of persons liable to the duty.

VI. And be it further enacted, That the several persons appointed assessors for the present year shall, within fourteen days after notice of their being appointed assessors of the aforesaid duties hereby granted, and the several persons to be hereafter appointed assessors shall, within fourteen days after such their appointment, yearly leave notice in writing at every dwelling house within their respective districts, in or upon which any clock, watch, or timekeeper aforesaid shall be placed, kept and worn, or used, or in which any person liable to be assailed to the aforesaid duties hereby granted shall dwell.

Notice to require the housekeepers to prepare lists and declarations in the form contained in the annexed schedule.

VII. And be it further enacted, That every notice to be left as aforesaid at any dwelling house, for the occupier or occupiers thereof, shall require such occupier or occupiers to prepare and produce, within the space of fourteen days next ensuing the day of giving such notice, a list or declaration in writing of all the clocks, and timekeepers, used for the purpose of clocks, and placed in or upon such dwelling house, and belonging either to the owner or owners of such dwelling house, or to such occupier or occupiers; and also of all watches, and timekeepers used for the purpose of watches, kept and worn, or used, by such occupier or occupiers; and another list in writing, containing the christian and surnames of each and every person dwelling in such dwelling house, whether such persons are liable to the aforesaid duties by this act granted or not, and whether such person shall be one of such occupier's family, or an inmate or lodger in such dwelling house; which list and declaration shall be made out by such occupier or occupiers in the form in the schedule to this act annexed.

Housekeepers to make out list and sign declaration in 14 days after notice, and to require all persons within the house to declare the number of clocks and watches for which they ought to be assailed, &c.c.

VIII. And be it further enacted, That every such occupier for whom any such notice as aforesaid shall be left, shall be obliged, within fourteen days after such notice being left, to make out the list, and sign the declaration before mentioned; and shall also, within the like period, cause the contents of the said notice to be read over and made known to each and every person dwelling in such dwelling house, office, or building as aforesaid, liable to the aforesaid duties; and shall require each and every such person to declare to every such occupier the exact number of the clocks, watches, and timekeepers, for which he or she ought to be assailed, and to give a description thereof, in such manner that the duties payable for the same may be ascertained, or to declare that such person has not kept and worn, or used, within the time herein-after specified, any such clock, watch, or timekeeper; which declarations the said occupier or occupiers shall cause to be entered in the list or declaration to be delivered by him, her, or them, to the assessor or assessors, and shall require each

each and every such person to write or cause to be written his or her christian or surname opposite the entry of his or her clocks, watches, or timekeepers, or his or her declaration as aforesaid; and every such person, being required thereunto as aforesaid by any such occupier or occupiers, shall be obliged to make such declaration, and to attest the same in the manner before directed, unless such person shall be usually resident elsewhere, out of the district of such assessor or assessors where such notice shall be left, and shall be liable to be assessed in such other place, and shall declare the place where he or she intends to be assessed to or pay, or has been assessed to or paid, the aforesaid duties, which declaration shall be entered on the return to be made by such occupier or occupiers, and signed as aforesaid.

IX. And be it further enacted, That every such list or declaration shall, for the first and second times of the same being required under this act, contain the greatest number of clocks, watches, and timekeepers liable to the aforesaid duties hereby granted, which have been placed in or upon his or her dwelling house, offices, or buildings as aforesaid, or kept and worn, or used, by the respective persons specified in such list or declaration as aforesaid, at any one time between the first day of *August* one thousand seven hundred and ninety-seven, and the day of making a return thereof respectively, according to the directions of this act; and every such list or declaration thereafter to be made shall contain the greatest number of such clocks, watches, and timekeepers, so placed as aforesaid, or kept and worn, or used, by such persons respectively, during the year ending on the fifth day of *April* preceding the day of making such return; and each person mentioned in the list and declaration of such occupier, shall be liable to be charged to the full number of his or her clocks, watches, and timekeepers, which shall or ought to be inserted in such list or declaration.

X. Provided always, and be it further enacted, That it shall and may be lawful to and for any such assessor or assessors, whenever he or they shall see occasion, to serve a notice personally upon, or leave the same at the house where any person liable to any of the aforesaid duties hereby granted, and not being the occupier of such house as aforesaid, shall reside, requiring such person to make out, sign, and deliver a separate list and declaration of the number of his or her clocks, watches, and timekeepers in the manner before directed; and every such person shall, after such notice so served or left, make out, sign, and deliver, a list and declaration, within the times respectively before limited, in such form and manner as is herein directed to be done by occupiers of dwelling houses with respect to clocks, watches, and timekeepers, being their own property respectively, or in default thereof a separate assessment shall be made upon such person, in the manner before directed with respect to such occupiers as aforesaid; and every such person shall be liable to be assessed in the district in which such list and declaration shall be made, unless he or she shall add to such return a declaration of the par-

Lists for the first and second times to contain the largest number of clocks and watches liable to duty between Aug. 1, 1797, and the time of making them out, and afterwards during the year ending April 5, preceding.

Assessors may serve notice on persons not being householders, requiring them to make out separate lists, &c.

particular parish or place of his or her usual residence where such person intends to pay, or has been assessed to or paid, the aforesaid duties.

If house-holders neglect to make out lists, &c. the assessors shall assess them from the best information they can obtain, which shall be final, unless certain particulars be proved.

XI. And be it further enacted, That if any occupier of any dwelling house at which any such notice shall be left, shall, for the space of fourteen days after such notice, neglect or refuse to make out such lists or declarations, or either of them, or shall neglect or refuse, within the said period of fourteen days, to make known the contents of such notice to each and every person dwelling in such dwelling house, or to require and take the lists or declarations of every such person willing to make the same, or to insert the same in the declaration of such occupier, in the manner herein directed, or to deliver or cause to be delivered such list and declaration to such assessor or assessors, duly filled up and signed as aforesaid, when he or they shall call for the same at such dwelling house, at any time after the expiration of fourteen days from the said notice being left, and shall not leave such list and declaration at the place named in the said notice, or the place of abode of one of the said assessors, within fourteen days after such assessor or assessors shall have so called for the same, then such assessor or assessors shall, from the best information he or they can obtain, make an assessment upon such occupier for or in respect of every clock, watch, or timekeeper, kept and worn, or used, by such occupier, and upon every other person dwelling in the dwelling house of such occupier, for or in respect of every clock; watch; or timekeeper, kept and worn, or used, by such other person; and every such assessment so made upon the occupier, shall be final and conclusive upon him or her, without liberty of appeal therefrom, unless such occupier shall prove on such appeal, as is herein-after mentioned, that he or she was not at his or her dwelling house at the time of leaving the said notice, nor between that day and the time limited for delivering such list and declaration to the assessor, or shall alledge and prove such other excuse as the commissioners for executing this act shall in their judgement think reasonable and sufficient; and at the time of such appeal shall produce upon oath a true and full list and declaration, made and signed as herein required, of all clocks; watches, and timekeepers, placed or being in or upon his or her dwelling house, offices, or buildings aforesaid, or kept and worn, or used, by him or her, or any person or persons dwelling in any such dwelling house, office, or building as aforesaid, to the best of the knowledge or belief of such occupier; and every such assessment so made upon any such other person shall be final and conclusive upon him or her, without liberty of appeal therefrom, unless such other person shall prove that the contents of such notice had not been made known to him or her, or that no list or declaration had been required from him or her, or that such list or declaration had been given, and neglected to be inserted in the list or declaration of the occupier, and at the time of such appeal shall produce, on oath, a true and full list and declaration, signed by him or her, of all clocks; watches, and time-

impeices, kept and worn, or used, by him or her, within the time for which such list and declaration are required to be given.

XII. And be it further enacted, That such assessors as aforesaid Assessors, &c. shall not be bound by such lists and declarations as shall be delivered to them respectively in pursuance of this act, but that such lists, may be omitted in finding the rate of the duties by this act imposed, is omitted in such list or declaration, to surcharge the same, and make a true assessment upon which they very person liable as aforesaid within their respective districts, of shall receive the real number of such clocks, watches, and timekeepers, liable to the said duties, or any of them, subject to an appeal, at such times and in such manner as is directed by the aforesaid acts relative to the present duties under the management of the said commissioners for the affairs of taxes, or any of them; and that in all such cases such surcharge shall be made after the rate of double the duty for every clock, watch, or timekeeper so omitted; and the assessor, surveyor, or inspector, so making such surcharge, shall be and is hereby entitled to, and shall have and receive, for his own use, one moiety of the sum charged by every surcharge which may be justly made upon any such list and declaration.

XIII. And be it further enacted, That the first assessment First assessment to be made for three quarters, from July 5, 1797, and after- under this act, of the said duties hereby imposed, shall be made on three quarters of a year, from the fifth day of July one thousand seven hundred and ninety-seven, and afterwards shall be made on one whole year, from the fifth day of April in every year.

XIV. And be it further enacted, That the aforesaid duties wards for a year, hereby granted shall be paid quarterly, at the times and in the year, manner following; that is to say, On the fifth day of January, Duties to be paid quarterly, the fifth day of April, the fifth day of July, and the tenth day of October, in every year, by equal portions; the first of the payments upon the said assessment for three quarters of a year, to be made on the tenth day of October one thousand seven hundred and ninety-seven:

XV. And be it further enacted, That in respect of every clock, A notice to be left with the officer of such company, body politic or corporate, or collegiate, a &c. or affixed to the outer door of the building on which the clock is erected, placed, or be in or upon any building belonging to any companies, company of persons, body politic or corporate, or collegiate, a &c. or affixed notice shall annually, as aforesaid, be left with any known officer to the outer door of the building on which the clock is erected, such company, body politic or corporate, or collegiate, who shall certify the contents thereof to his superior or superiors having the care of such clock, timekeeper, or building, or to whom such notice shall be known to the assessor or assessors, then such notice all be affixed on the outer door of such building, which notice delivered or affixed shall be deemed good and sufficient notice, and shall be as effectual to compel the delivery of a list and declaration of the names and descriptions of the person or persons chargeable with the duty hereby imposed on such clock or timekeeper, as if the same had been personally served on such person or persons; and the duty hereby imposed on such clock or time-

keeper shall be paid by the company, body politick or corporate or collegiate, to whom such clock, timekeeper, or building shall belong, and the goods and chattels of such company, body politick or corporate, or collegiate, to whom such clock or timekeeper shall belong, shall be liable in payment of the same, in like manner as the goods and chattels of any owner of any clock charged with the said duty by this act is hereby, or by any act or acts herein referred to, made liable for nonpayment of the said duty.

**Penalty of 10d.
for not deli-
vering lists
and declara-
tions, &c.**

XVI. And be it further enacted, That where any occupier of any dwelling house, or any officer of any company, body politick or corporate, or collegiate, or other person liable under the directions before contained to deliver such list and declaration as aforesaid to the assessor or assessors, shall refuse or neglect, within the time herein-before prescribed, to deliver or cause to be delivered to such assessor or assessors, such list or declaration specifying the number of clocks, watches, and timekeepers, used as aforesaid by such occupier or occupiers, and likewise of those belonging to all such persons dwelling within such dwelling house, office, or building, as shall have respectively made to such occupier the declaration herein-before required, or belonging to such company, body politick or corporate, or collegiate; or if any person or persons dwelling in any dwelling house, and liable, under the directions of this act, to give to the occupier thereof such declaration as aforesaid, shall neglect or refuse, on demand, to give such declaration of the number of his or her clocks, watches, and timekeepers, or to declare that he, she, or they has or have used or worn none, to such occupier, and to sign his or her name to such declaration, he or she so neglecting or refusing shall, for every such offence, forfeit the sum of ten pounds.

**After Oct. 10,
1797, a pe-
nalty of 10d.
for having
clocks or
watches, and
not having
declared the
same.**

The duties on
clocks in
dwelling
houses not en-
joyed by any
particular oc-
cupier to be
charged upon
the landlords.

Duties on
clocks let
with dwelling
houses, &c.

XVII. And be it further enacted, That, from and after the tenth day of October one thousand seven hundred and ninety-seven, if any person shall have, keep, and use, any clock, or timekeeper for the purpose of a clock, or keep and wear, or use, any watch, or timekeeper for the purpose of a watch, liable to any duty by this act imposed, without having declared the same in the manner herein directed, every such person shall, for every such offence, forfeit and pay the sum of ten pounds.

XVIII. And be it further enacted, That when any dwelling house with the offices and buildings thereto belonging, shall be demised to different occupiers in separate apartments, the duties by this act granted as aforesaid, which shall become payable in respect of any clock or timekeeper, placed or being in or upon such dwelling house, office, or building, and belonging to the landlord or landlords, and not exclusively in the enjoyment of any particular occupier, shall be charged upon the landlord or landlords who let or demised the same, his, her, or their executors or administrators, and not on the occupier or occupiers.

XIX. Provided always, and be it further enacted, That the aforesaid duties hereby granted, which shall be payable in respect of any clock or timekeeper, placed or being in or upon any dwelling

dwelling house, or any office or building belonging thereto, or to be paid by the cupied therewith, and which shall be let or demised together ^{the occupiers.} with such dwelling house, office, or building, shall be paid by the cupier or occupiers thereof, his, her, or their executors or administrators, and not by the landlord or landlords, except in the se herein-before mentioned, any covenant, agreement, or contract to the contrary notwithstanding.

XX. And be it further enacted, That the aforesaid duties ^{How duties} reby granted, which shall become payable by any person under ^{on infants are} age of twenty-one years, having a parent or guardian, or relating ^{to be charged.} with any tutor or curator, shall be charged upon such parent or guardian, or such tutor or curator, provided the name such parent, guardian, tutor, or curator, shall be returned to ch assessor or assessors of the aforesaid duties, or in default there-[,], the said duties shall be charged upon and paid by such infant.

XXI. Provided always, and be it further enacted, That no- Duty not to thing herein contained shall be construed to charge with the duty ^{extend to} reby imposed, any person who shall inhabit any dwelling house ^{householders.} holly exempt from the payment of the duties on windows or from the ghts, by an act of the sixth year of the reign of his present Ma- ^{duties on} sty, and also of the duties on inhabited houses, by an act of the ^{windows and} ineteenth year of the reign of his present Majesty, in respect of ^{houses, for} one clock, or timekeeper to be used for the purpose of a clock, ^{one clock, or} having only one clock or timekeeper, in respect of one silver metal watch: ^{one silver or} metal watch, or silver or metal timekeeper used for the pur-^{use of a watch;} any thing herein-before contained to the con-^{ary notwithstanding.}

XXII. Provided also, and be it further enacted, That nothing nor to occu-^{rein contained shall be construed to charge with the said duty,} piers of houses ny person inhabiting a dwelling house which, together with the ^{not rateable} ffices thereunto belonging, is or ought to be rated at not more ^{at more than} ten windows, ^{ten windows,} than ten windows or lights to the duties on windows or lights, in ^{for clocks not} respect of any clock, or timekeeper used for the purpose of a clock, ^{worth more} than ^{than 2s.} such dwelling house, the movements of which clock or time-^{eep}er shall be made of wood, or fixed upon wood, and which locks are usually sold by the respective makers thereof at a price ot exceeding the sum of twenty shillings for each such clock, or whch shall not be of greater value than the said sum of twenty shillings; any thing herein-before contained to the contrary notwithstanding.

XXIII. Provided also, and be it further enacted, That nothing Not to extend ^{erein contained shall be construed to extend to charge with the} to the royal foresaid duties, any clock or timekeeper placed or being in or ^{family, or} pon any building in the occupation of his Majesty, his heirs or ^{ambassadors,} accessors, or any of the royal family, or of any ambassador or ^{or to hospitals,} foreign minister residing in Great Britain, or in or upon either ^{churches,} ouse of parliament, or any hospital or other building erected and taintained for charitable purposes, nor upon any parish church, r any chapel or other place of publick religious worship, or any ratch or timekeeper kept, had, used, or worn, in any house in-^{habited}

habited by any of the royal family, or by any such ambassador or foreign minister.

**nor to certain husbandmen,
nor soldiers,
mariaes, or
sailors:**

XXIV. Provided also, and be it further enacted, That nothing herein contained shall be construed to extend to charge with the duty hereby imposed any servant in husbandry dwelling with his or her master or mistress, in any dwelling house exempt from the payment of the said duties on inhabited houses; by the act of the nineteenth year of his said Majesty's reign, before mentioned; nor to any non-commissioned officer or private in his Majesty's army, or in the marines or the militia, nor to any seaman in his Majesty's navy, or employed in the merchant service.

**nor to the
stock of li-
censed makers
of, or dealers
in clocks and
watches, or
licensed pawn-
brokers.**

XXV. Provided also, and be it further enacted, That nothing herein contained shall be construed to extend to charge with the duty hereby imposed, any maker of or dealer in clocks, watches, or timekeepers, in respect of any clock, watch, or timekeeper, kept by him for sale, or intrusted to him or his servants or workmen, in the course of trade; such maker of, or dealer in clocks, watches, or timekeepers, being duly licensed thereunto by virtue of this act; nor any pawnbroker in respect of any clock, watch, or timekeeper, kept for sale or in pledge, such pawnbroker being duly licensed thereunto by virtue of the laws now in force.

**Makers of or
dealers in
clocks and
watches,
taking out a
licence, to
pay annually,
within certain
limits, 2s. 6d.
and without,
3s..**

XXVI. And be it further enacted, That every person using and exercising the trade and busines of a maker of, or dealer in clocks, watches, or timekeepers, within the city of London, or the city or liberties of Westminster, the weekly bills of mortality, the parishes of Saint Mary-le-Bone, or Saint Pancras, in the county of Middlesex, or the borough of Southwark, in the county of Surrey, and who shall take out a licence to use and exercise the said trade and busines of a maker of, or dealer in clocks, watches, or timekeepers, shall yield and pay annually, to and for the use of his Majesty, his heirs and successors, the sum of two shillings and sixpence; and that every person using and exercising the said trade and busines of a maker of, or dealer in clocks, watches, or timekeepers, without the city of London, the city and liberties of Westminster, the weekly bills of mortality, the parishes of Saint Mary-le-Bone, and Saint Pancras, in the county of Middlesex, and the borough of Southwark, in the county of Surrey, and who shall take out a licence to use and exercise the said trade and busines of a maker of, or dealer in clocks, watches, or timekeepers, shall yield and pay annually, to and for the use of his Majesty, his heirs and successors, the sum of one shilling.

**Licence duties
to be under
the manage-
ment of the
commissioners
for stamps.**

XXVII. And, for the better and more effectually raising, levying, collecting, and paying the said duties hereby granted on licences, be it enacted, That the same shall be under the government, care, and management, of the commissioners for the time being appointed to manage the duties charged on stamped vellum, parchment, and paper, who, or the major part of them, are hereby required and empowered to employ such officers under them for that purpose, and allow such salaries and incidental charges as shall be necessary; and to provide and use such marks or stamps, as they shall

all think fit, to denote the said duties, and to repair, renew, and ter the same from time to time as they shall see occasion, and do all other matters and things necessary to be done for putting is act in execution with relation to the said duties hereby granted, in the like, and in as full and ample a manner as they, the major part of them, are authorised to put in execution any the laws now in being concerning stamped vellum, parchment, and paper.

XXVIII. And be it further enacted, That, from and after the Commissioning of this act, any two or more of his Majesty's commissioners appointed to manage the duties charged on stamped vellum, parchment, or paper, or some person duly authorised by them, or any three or more of them, shall grant licences to such persons who shall use and exercise the trade and business of a maker of, or dealer in clocks, watches, or timekeepers, in any town, or place within Great Britain, to use and exercise the same within such city, town, or place, for any space of time as herein-after mentioned, not exceeding one year, and every such licence shall cease and determine on the fifth day of July, in the year for which the same shall be issued; and every such licence taken out for the year in which the same shall be issued, shall be in force until and upon the fifth day of July then next following, and shall commence from the date thereof; and every such licence taken out for any year subsequent to the year in which the same shall be issued, shall commence from the fifth day of July then ext ensuing, and continue in force until and upon the fifth day of July in the succeeding year; and that every such person shall take out a fresh licence for another year, ten days at least before the expiration of that year for which he shall have been licensed, if he shall continue to use and exercise the said trade and business of a maker of, or dealer in clocks, watches, or timekeepers, and shall in like manner renew such licence from year to year, paying down the respective sums due on such licence, as long as he shall continue to use and exercise the said trade and business of a maker of, or dealer in clocks, watches, or timekeepers.

XXIX. And be it further enacted, That persons carrying on One licence heir trade and business of makers of, or dealers in clocks, sufficient for watches, or timekeepers in partnership, shall not be obliged to take out more than one licence in any one year for carrying on such trade or business.

XXX. And Be it further enacted, That every person using or Persons carrying on business of a maker of, or dealer in clocks, watches, or timekeepers, not having a licence to use or exercise a trade or business of a maker of, or dealer in clocks, watches, or timekeepers, who shall, after the first day of August one thousand even hundred and ninety-seven, within the limits herein-before described, and after the first day of September one thousand seven hundred and ninety-seven, without the said limits, carry on the said trade and business of a maker of, or dealer in clocks, watches, or timekeepers, without having obtained a licence for that purpose.

pose under the directions of this act, shall forfeit and pay the sum of five pounds.

Application of penalties sued for in three months, and where they may be sued for.

XXXI. And be it further enacted, That one moiety of all pecuniary penalties and forfeitures hereby imposed, shall (if sued for within the space of three calendar months from the time of any such penalty or forfeiture being incurred) be to his Majesty, his heirs and successors, and the other moiety thereof, with full costs of suit, to the person or persons who shall inform or sue for the same within the time aforesaid, and which shall and may be sued for in his Majesty's court of exchequer at *Westminster*, for offences committed in *England*, and in his Majesty's court of exchequer at *Edinburgh* for offences committed in *Scotland*, by action of debt, bill, plaint, or information, wherein no escheat, privilege, wager of law, or more than one imparlance shall be allowed.

Recovery of penalties not sued for in three months.

XXXII. Provided always, and be it further enacted, That in default of prosecution within the time herein-before limited, no such penalty or forfeiture shall be afterwards recoverable, except in the name of his Majesty's attorney general in *England*, or advocate in *Scotland*, by information in the respective courts aforesaid, in which case, the whole of such penalty or forfeiture shall belong to his Majesty, his heirs and successors; and that all penalties and forfeitures, and shares of penalties and forfeitures, incurred as aforesaid, belonging to his Majesty, his heirs or successors, shall be paid into the hands of the receiver general of his Majesty's stamp duties for the time being; and that in all cases where the whole of such pecuniary penalties or forfeitures shall be recovered to the use of his Majesty, his heirs or successors, it shall be lawful for the said commissioners to cause such rewards as they shall think fit, not exceeding one moiety of such penalties or forfeitures so recovered, after deducting all charges and expences incurred in recovering the same, to be paid thereout, or amongst any person or persons who shall appear to them to be entitled thereto, either as discoverers or informers, in respect of such penalties or forfeitures so recovered; any thing herein contained to the contrary notwithstanding.

Penalties to his Majesty to be paid to the receiver general of stamp duties, out of which informers may be rewarded.

Justices may determine offences where pecuniary penalties are inflicted.

XXXIII. Provided always, and be it further enacted, That it shall and may be lawful to and for any justice of the peace residing near the place where the offence shall be committed, to hear and determine any offence against this act, which subjects the offender to any pecuniary penalty, which said justice of the peace is hereby authorised and required, upon any information exhibited or complaint made in that behalf, within three calendar months after the offence committed, to summon the party accused, giving to each party three days notice to appear, and also the witnesses on either side, and to examine into the matter of fact; and upon proof made thereof, either by voluntary confession of the party accused, or by the oath of one or more credible witnesses or witnesses, or otherwise, as the case may require, to give judgement or sentence for the penalty or forfeiture, as in and by this

this act is directed to be divided, one moiety thereof to the poor of the parish or place where the offence shall be committed, and the other moiety thereof to the informer or informers, and to award and issue out his warrant, under his hand and seal, for the levying the said penalty so adjudged on the goods of the offender, and to cause sale to be made thereof, in case they shall not be redeemed within six days, rendering to the party the overplus (if any), and where the goods of such offender cannot be found sufficient to answer the penalty, to commit such offender to prison, there to remain for any space of time not exceeding six nor less than three calendar months, unless such pecuniary penalty shall be sooner paid and satisfied; and if any party shall find himself or themselves aggrieved by the judgement of any such justice, then he or they shall and may, upon giving security to the amount of the value of such penalty and forfeiture, together with such costs as shall be awarded in case such judgement shall be affirmed, appeal to the justices of the peace at the next general or quarter sessions for the county, riding, division, shire, stewartry, or place, which shall happen, after fourteen days next after such conviction shall have been made, and of which appeal reasonable notice shall be given, who are hereby empowered to summon and examine witnesses upon oath, and finally to hear and determine the same, and in case judgement shall be affirmed, it shall be lawful for such justices to award the person or persons appealing to pay such costs occasioned by such appeal, as to them shall seem meet.

XXXIV. And be it further enacted, That if any person or persons shall be summoned as a witness or witnesses to give evidence before such justice touching any of the matters relative to this act, and shall neglect or refuse to appear at the time and place to be or that purpose appointed, without a reasonable excuse for such neglect or refusal, to be allowed of by such justice of the peace, or appearing shall refuse to be examined on oath, and give evidence before whom the prosecution shall be depending, that then very such person shall forfeit for every such offence the sum of forty shillings, to be levied and paid in such manner as is herein directed as to other penalties.

XXXV. And be it further enacted, That the justices of the peace before whom any offender shall be convicted as aforesaid, shall cause the said conviction to be made out in the manner and form following, or in any other form of words to the same effect, *utatis mutandis*; that is say,

B E it remembered, That, on the day of
in the year of our Lord in the county of
A. B. of was convicted before me C. D. one of his
Majesty's justices of the peace for residing near the place
where the offence was committed; for that the said A. B. on the
day of now last past, did, contrary to the form
of the statute in that case made and provided, [here state the offence
against the act]; and I do declare and adjudge that the said A. B.
shall forfeited the sum of of lawful money of Great
Britain,

Application of
penalty which
may be levied
by distress.

Persons ag-
grieved may
appeal to the
quarter
sessions.

Penalty on
witnesses for
not appearing
or not giving
evidence.

Conviction to
be made in
the following
form.

Britain, for the offence aforesaid, to be distributed as the law directs. Given under my hand and seal, the day of

Convictions to which conviction the said justice shall cause to be wrote fairly be kept among upon parchment, and returned to the next general or quarter sessions of the peace for the county, riding, division, shire, stew-
artry, or place, where such conviction was made, to be filed by the proper officer there, and there to remain, and be kept among the records of the same county, riding, division, shire, or stew-
artry, or place; and no such conviction shall be removed by

Certiorari or other process into any court whatsoever.

Duties to be carried to the consolidated fund.

XXXVI. And be it further enacted, That all monies arising by the said several duties by this act granted (the necessary charges of raising and accounting for the same excepted), shall from time to time be paid by the respective receivers appointed under the respective commissioners of taxes and stamps, into the receipt of his Majesty's exchequer, and shall be carried to and made part of the consolidated fund.

Application of duties, which for ten years are, with others granted for the same purpose, to be kept separate from all other monies.

XXXVII. Provided always, and be it further enacted, That the monies arising or to arise of the several duties before mentioned, or so much thereof as shall be sufficient, shall be deemed an addition made to the revenue, for the purpose of defraying the increased charge occasioned by any loan raised or stock created by virtue of any act or acts passed in this session of parliament; and that the said monies shall, during the space of ten years next ensuing, be paid into the said receipt distinctly and apart from all other branches of the publick revenue; and that there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book or books, in which all the monies arising from the said several duties, and paid into the said receipt, shall, together with the monies arising from any other rates and duties granted or to be granted in this session of parliament, for the purpose of defraying such increased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon ²³ account whatever.

The SCHEDULE to which this act refers.

I A. B. occupier of the dwelling house situate at do hereby declare, That the following list contains the true and full number of clocks, and timekeepers used for the purpose of clocks, placed or being within or upon my said dwelling house or any office or building belonging thereto or occupied therewith; and the true and full number and description of all the watches, and timekeepers worn or used for the purpose of watches which I now keep and wear, or use, or have kept and worn, used, since the *videlicet,*

No. of clocks.	No. of gold watches.	No. of silver or other watches.
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And I do also further declare, That the following list contains the names of all persons now dwelling in my said dwelling house, offices, or buildings, who ought to be assessed to the said duty, to the best of my knowledge and belief; and that I have caused the contents of the notice left at my dwelling house to be made known to each of them; and that they have severally made the declaration set opposite their respective names, which names are of their respective hand writing; *videlicet*,

Names.	No. of clocks.	No. of gold watches.	No. of silver or other watches.
A. B.			
C. D.			

C A P. CIX.

An act to amend an act, made in the thirty-third year of the reign of his present Majesty, intituled, An act for the encouragement of seamen, and for the better and more effectually manning his Majesty's navy; and for making further provision for those purposes.—[July 19, 1797.]

WHEREAS his Majesty, by order in council, dated the fifteenth day of September one thousand seven hundred and Order in ninety-five, was pleased to order that general reprisals be granted council of against the ships, goods, and subjects, of the United Provinces, Sept. 15, 1795, and so that as well his Majesty's fleets and ships, as also all other ships and vessels that should be commissionated by letters of marque, or general reprisals, or otherwise, by his Majesty's commissioners for executing the office of lord high admiral of Great Britain, should and lawfully might seize all ships, vessels, and goods, belonging to the United Provinces, or their subjects, or others inhabiting within any of the territories of the aforesaid United Provinces, and bring the same to judgement in any of the courts of admiralty within his Majesty's dominions: and whereas his Majesty, by another order in council, of Nov. 9, dated the ninth day of November one thousand seven hundred and 1796, recited, ninety-six, was pleased to order that general reprisals be granted against the ships, goods, and subjects, of the king of Spain, so that as well his Majesty's fleets and ships, as also all other ships and vessels that should be commissionated by letters of marque, or general reprisals, or otherwise, by his Majesty's commissioners for executing the office of lord high admiral of Great Britain, should and might lawfully seize all ships, vessels, and goods, belonging to the king of Spain, or his subjects, or others inhabiting within the territories of the king of Spain, and bring the same to judgement in any of the courts of admiralty within his Majesty's dominions: now, for the encouragement of the officers and seamen of his Majesty's ships of war, and the officers and seamen of all other British ships and vessels having commissions and letters of marque; and for inducing all British seamen, who may

Officers and
men of his
Majesty's fleet
to have all
ships and
cargoes be-
longing to the
United Pro-
vinces or
Spain, taken
since the dates
of the respec-
tive orders in
council, di-
vided agree-
ably to pro-
clamations of
Nov. 25, 1795,
and Jan. 25,
1797, or any
future procla-
mation;

and also the
arms, &c.
taken in any
fortress, or
vessel, in any
creek, &c.
belonging
thereto.

be in any foreign service, to return into this kingdom, and become serviceable to his Majesty; and for the more effectual securing and extending the trade of his Majesty's subjects; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the flag officers, commanders, and other officers, seamen, marines, and soldiers, on board every ship and vessel of war in his Majesty's pay, shall have the sole interest and property of and in all and every ship, vessel, goods, and merchandizes, belonging to the *United Provinces*, or their subjects, or others inhabiting within any of the territories of the *United Provinces*, which they have taken since the fifteenth day of *September* one thousand seven hundred and ninety-five, or shall hereafter take during the continuance of hostilities against the *United Provinces*, and also shall have the sole interest and property of and in all and every ship, vessel, goods, and merchandizes, belonging to the king of *Spain*, or his subjects, or others inhabiting within any of the territories of the king of *Spain*, which they have taken since the ninth day of *November* one thousand seven hundred and ninety-six, or shall hereafter take during the continuance of hostilities against *Spain*, after the same respectively shall have been finally adjudged lawful prize to his Majesty in any of his Majesty's courts of admiralty in *Great Britain*, or in his Majesty's plantations in *America*, or elsewhere, which shall be duly authorised to take cognizance of such captures, to be divided in such proportions, and after such manner, as his Majesty hath, by his several proclamations of the twenty-fifth day of *November* one thousand seven hundred and ninety-five, and the twenty-fifth day of *January* one thousand seven hundred and ninety-seven, with regard thereto respectively, already ordered and directed, or as his Majesty, his heirs and successors, shall think fit to order and direct, by proclamation or proclamations to be issued for those purposes.

II. And be it further enacted by the authority aforesaid, That the flag officers, commanders, and other officers, seamen, marines, and soldiers, on board every ship and vessel of war in his Majesty's pay, being armed, officered, and employed, in his Majesty's service, who have, since the dates of the above mentioned respective orders in council, taken, or who, during the continuance of hostilities against the said *United Provinces* and *Spain* respectively, shall take, any fortress upon the land, or any arms, ammunition, stores of war, goods, merchandize, and treasure, belonging to the state, or to any publick trading company of the enemies of the crown of *Great Britain*, upon the land, or any ship or vessel, or merchandizes laden on board the same, in any creek, river, haven, or road, belonging to and defended by such fortress upon the land, shall have the sole interest and property of and in all and every such arms, ammunition, stores of war, goods, merchandizes, and treasure, ships and vessels, and merchandizes laden on board the same, after the final adjudication thereof

thereof as lawful prize to his Majesty, in any of his Majesty's courts of admiralty, duly authorised as aforesaid, (which courts are hereby required to proceed thereon as in other cases of prize), to be distributed by his Majesty in such proportions and manner as herein-before is mentioned.

III. Provided always nevertheless, That in all conjunct expeditions of the navy and army against any such fortresses upon the land, directed by instructions from his Majesty, the flag and jointly against general officers and commanders, and other officers, seamen, a fortress, marines, and soldiers, acting in such conjunct expedition, shall their proportions have such proportionable interest and property as his Majesty, under his sign-manual, shall think fit to order and direct, in all and every the arms, ammunition, stores of war, goods, merchandizes, and treasure, belonging to the state, or to any publick trading company of the enemies of the crown of *Great Britain*, which have been or shall be found in any such fortress, or upon the land, and also in all and every ship and ships, vessel and vessels, with their arms, ammunition, tackle, apparel, and furniture, and all and every the merchandizes and other effects on board, which shall be captured in any road, haven, river, or creek, belonging to and defended by such fortress, after final adjudication thereof as lawful prize.

IV. And be it further enacted by the authority aforesaid, That all and every ship or ships, vessel or vessels, arms, ammunition, stores of war, goods and merchandizes whatsoever, with all their furniture, tackle, and apparel, belonging to the *United Provinces* and the king of *Spain*, or their respective subjects, or others inhabiting within any of their respective territories, which have been taken since the said fifteenth day of *September* one thousand seven hundred and ninety-five, and the said ninth day of *November* one thousand seven hundred and ninety-six respectively, or which shall be taken during the continuance of hostilities against *Holland* and *Spain* respectively, by or with the ship or vessel of any private owner or owners according to or under the authority of any commission or letter of marque, granted or to be granted in pursuance of this act by the lord high admiral, or the commissioners for executing the office of lord high admiral of *Great Britain* for the time being, or any four or more of them, or any person or persons by him or them empowered and appointed, (being first finally adjudged lawful prize in any of his Majesty's courts of admiralty in *Great Britain*, or in his Majesty's plantations in *America* or elsewhere, which shall be duly authorised as aforesaid), shall wholly and entirely belong to, and be divided between and among, the owner and owners of such private ship or vessel, and the several persons who shall have been on board the same, and aiding and assisting to the taking thereof, in such shares and proportions, manner and form, as shall be agreed on with such owner or owners, his or their agents or factors, as the proper goods and chattels of such owner or owners and the persons who shall be so entitled thereto by virtue of such agreements among themselves; and that neither his Majesty, his heirs or successors, or

any admiral, vice admiral, governor, or other person commissioned by or claiming under his Majesty, his heirs or successors, or any person or persons whatsoever, other than the owner or owners of such ship or vessel, being the captor of such prize ship or vessel, arms, ammunition, stores of war, goods, and merchandizes, and the persons claiming under such agreements, shall be entitled to any part or share thereof; any law, usage, or custom, to the contrary thereof in anywise notwithstanding.

V. And whereas, by an act made and passed in the thirty-third year of the reign of his present Majesty, intituled, An act for the encouragement of seamen, and for the better and more effectually manning his Majesty's navy, several provisions and regulations were established for the better carrying on the salutary purposes by the said act intended in the prosecution of hostilities against France; be it enacted by the authority aforesaid, That all the provisions and regulations contained in the said recited act relating to the ships and vessels, ammunition, stores of war, goods, merchandize, and treasure, belonging to France, or to any subjects, or publick trading company of France, which shall be taken by the ships or vessels of war in his Majesty's pay, or by conjunct expeditions of the navy and army, or relating to the grant of commissions, or letters of marque, to the owners of private ships and vessels, the persons acting, and the captures made, under the authority of such commissions or letters of marque, and relating to the payment of bounty money for taking, sinking, burning, or otherwise destroying the ships of war or privateers belonging to the enemy; and all other clauses, provisoies, restrictions, pains, penaltys, forfeitures, matters, and things whatsoever contained in the said recited act, (except so far as the same shall be altered or amended by this present act), shall extend, and be deemed, adjudged, and construed to extend, and are hereby declared to extend to all and every ship and vessel, arms, ammunition, stores of war, goods, merchandize, and treasure, belonging to the United Provinces and the king of Spain respectively, or to any of their respective subjects or publick trading companies, or to others inhabiting within any of their respective territories, which have been taken since the said fifteenth day of September one thousand seven hundred and ninety-five, and the ninth day of November one thousand seven hundred and ninety-six respectively, or which, during the continuance of hostilities against the said United Provinces and Spain respectively, shall be taken by any ships or vessels of war in his Majesty's pay, or by conjunct expeditions of the navy and army, and also to the grant of commissions or letters of marque for general reprizals against the ships, goods, and subjects of the said United Provinces and king of Spain respectively, and to the persons acting, and the captures made, under the authority of such commissions or letters of marque; and also to the taking, sinking, burning, or otherwise destroying the ships of war and privateers of the said United Provinces and king of Spain respectively, and shall be in force during the continuance of such hostilities last above mentioned, as fully, amply, and effectually,

to all intents and purposes whatsoever, as if the said provisions, regulations, clauses, provisoes, restrictions, pains, penalties, forfeitures, matters, and things, had been particularly repeated and re-enacted in this act.

VI. Provided always, and be it enacted by the authority Pre-emption of prize ships offered to be offered to the navy which shall hereafter be taken, or to the navy enemies, during the present hostilities, with their tackle, furniture, and stores, shall be offered and tendered to the principal officers and commissioners of his Majesty's navy for the time being, for and on behalf of his Majesty; and that the pre-emption or refusal of the guns, arms, and ordnance stores, found on board such ships or vessels, shall be offered and tendered to the master general and principal officers of his Majesty's ordnance for the time being, for and on behalf of his Majesty; and in case the said principal officers and commissioners of his Majesty's navy, and master general and principal officers of his Majesty's ordnance respectively, shall think fit to purchase such ships or vessels, guns, arms, and ordnance stores, or any of them, the same shall be paid for (on proper title being made thereto) by bills or debentures, in the course of the navy and ordnance respectively, according to such valuation as they the said principal officers and commissioners of the navy and master general and principal officers of the ordnance respectively, shall adjudge to be fair and reasonable: but if within six weeks after such respective tenders, in case such ship or vessel shall be brought into any port of this kingdom, and within a reasonable time after such respective tenders, in case such ship or vessel shall be carried into any other part of his Majesty's dominions, the said principal officers and commissioners of the navy, and master general and principal officers of the ordnance respectively, shall refuse to purchase, contract, or bargain for, such ships or vessels, guns, arms, and ordnance stores, or any of them, then, and in such case, they the said principal officers and commissioners of the navy, and master general and principal officers of the ordnance or any three or more of them respectively, shall give a certificate of such tender and refusal under their hands, to the captor or captors of such ship or vessel, guns, arms, and ordnance stores, or to their agent or agents, which certificate, as to the tender and refusal of such ship or vessel, shall be deemed a necessary document, (over and besides what is already required by law), to entitle such ship or vessel to be considered as a *British-built* ship or vessel, and shall be produced to the proper officer of his Majesty's customs, before the captor or captors, or their agents, shall obtain such certificate of the registry thereof, as is directed, with respect to ships or vessels condemned as prize, by an act of parliament, made in the twenty-sixth year of the reign of his present Majesty, intituled, *An act for the further increase and encouragement of shipping and navigation*; and which certificate, as

to such guns, arms, and ordnance stores, shall be deemed a necessary document to entitle such captors, or their agents, to sell and dispose thereof to any other person or persons; any thing in the said recited act, made in the twenty-sixth and thirty-third years of the reign of his present Majesty, or in this present act, to the contrary thereof in anywise notwithstanding.

Recital of 33
Geo. 3. c.
66, respecting
letters of
marque.

VII. And whereas, by the said recited act, made in the thirty-third year of the reign of his present Majesty, it is enacted, That all and every person or persons who shall apply to the lord high admiral, or commissioners for executing the office of lord high admiral of Great Britain, for the time being, in order to obtain any commission or letter of marque, shall make every such application in writing, and therein set forth an exact description of the ship or vessel for which such commission or letter of marque is requested, specifying the name and burthen of such ship or vessel, and other particulars therein mentioned; and that every commander of a private ship or vessel of war, for which a commission or letter of marque shall be granted in pursuance of the said act, shall produce such commission or letter of marque to the collector, customer, or searcher, for the time being, of his Majesty's customs, residing at or belonging to the port from whence such ship or vessel shall be first fitted out, or to the lawful deputy or deputies of such collector, customer, or searcher; which said collector, customer, or searcher, is thereby directed to examine such ship or vessel: and if the same shall be found to be of such built and burthen, and to be manned and armed according to the tenor of the description inserted in such commission or letter of marque, to give a certificate thereof in writing to such commander, which certificate shall be deemed a necessary clearance before such ship or vessel shall be permitted to sail from that port; and it is also by the said recited act provided, that the burthen of such ship or vessel so to be certified shall be ascertained by the certificate of registry granted for such ship or vessel under and pursuant to the directions of the before-mentioned act, made in the twenty-sixth year of the reign of his present Majesty, which certificate shall be produced to the said lord high admiral, or commissioners for executing the said office of lord high admiral of Great Britain, before the issuing of any commission or letter of marque for such ship or vessel: and whereas it may be expedient in certain cases to dispense with the production to the lord high admiral, or commissioners for executing the office of lord high admiral of Great Britain, of the original certificate of registry granted under the before-mentioned act, made in the twenty-sixth year of the reign of his present Majesty, previous to the issuing of a commission or letter of marque under the provisions of this act; be it therefore enacted by the authority aforesaid, That if it shall appear to the satisfaction of the lord high admiral, or the commissioners for executing the office of lord high admiral of Great Britain for the time being, on the application of any person or persons for a commission or letter of marque to be granted for any ship or vessel in pursuance of this act, that a commission or letter of marque hath been already granted for such ship or vessel in pursuance of the said former act made in the thirty-third year of the reign of his present Majesty, and that such ship or vessel hath cleared out of port

Admiralty
may grant
letters of
marque under
this act, for
vessels having
them under
recited act,
upon produc-
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port conformably to the above recited provisions contained in the copy of aid former act, and that no opportunity hath' since occurred during the time such ship or vessel being in any port of this kingdom, for the owners of such ship or vessel, or their agents, to obtain a commission or letter of marque for such ship or vessel in pursuance of this act, it shall and may be lawful to and for the said lord high admiral, or commissioners for executing the said office of lord high admiral of Great Britain for the time being, to order commission or letter of marque to be issued under the provisions of this act, for any such ship or vessel, upon the production to them of an authentick copy of the before-mentioned certificate of registry under the hand of the collector, comptroller, or other proper officer of the customs, and that no commander of any ship or vessel, for which such commission or letter of marque shall have been so issued as last-mentioned, shall, by reason of his departure with his ship or vessel from his port of clearance before such commission or letter of marque hath been obtained be subject or liable to any penalty or punishment whatever, nor shall such commission or letter of marque by reason thereof be rendered null and void; any thing in the said former act, made in the thirty-third year of the reign of his present Majesty, or in this act, contained to the contrary thereof in any wise notwithstanding.

VIII. And whereas the commanders of ships and vessels, having commissions or letters of marque are directed and enjoined by their commissions, and the printed instructions accompanying the same, to transmit accounts of their proceedings, and the captures by them made, and of other particulars therein mentioned, from time to time, to the commissioners for executing the office of lord high admiral of Great Britain for the time being, or their secretary, and to keep a correspondence with them by all opportunities that shall present: and whereas such directions and injunctions have been very much, if not totally, disregarded on the part of commanders of ships and vessels having commissions and letters of marque; for remedy whereof, be it enacted by the authority aforesaid, That the captain, master, commander, or commanding officer for the time being, of every ship or vessel having a commission or letter of marque for reprizals against any of his Majesty's enemies during the present hostilities, shall, during every voyage or cruize to be taken by such ship or vessel after the passing of this act, keep a regular journal, containing a true and exact account of his daily transactions and proceedings with such ship or vessel, and the crew thereof, the ports or places he shall put into, or cast anchor at, the time of his stay there, and the cause thereof, the prizes he shall take, the nature and probable value of such prizes, the times and places when and where taken, and how and in what manner he shall dispose of the same, the ships or vessels he shall fall in with, the times and places when and where he shall meet with them, and his observations and remarks thereon; also of whatever else shall occur to him, or any of his officers or mariners, or to be discovered or found out by examination or conference with any

The commander of every vessel of marque to keep a journal, containing certain particulars, and on his arrival at any port, to deliver up the same to the chief officer of the customs, who shall have the crew mustered, &c. and transmit the particulars, with the journal, to the admiralty.

mariners or passengers of or in any other ships or vessels, or by any other ways or means, whatsoever touching or concerning the fleets, vessels, and forces of the enemy, their ports and places of station and destination, strength, numbers, intents, and designs; and such captain, master, commander, or commanding officer for the time being, shall immediately on his arrival in any port of this kingdom, or of any other his Majesty's dominions, from or during the continuance of any voyage or cruize undertaken after the passing of this act, produce his commission for such ship or vessel, and deliver up such journal so kept as aforesaid, signed with his proper name and hand writing, to the collector, comptroller, or other chief officers of the customs, at or nearest to such port, the truth of which journal shall be verified by the oath of such captain, master, commander, or commanding officer for the time being, before such collector, comptroller, or other chief officer; (which oath the said collector, comptroller, or other chief officer, is hereby authorised and required to administer); and such collector, comptroller, or other chief officer, shall immediately, on the last arrival of such ship or vessel, order the tide surveyor, or other water guard officer, to go on board such ship or vessel, and master and take an account of her officers and men, and also of the number and nature of the guns, and whatever else shall occur to him, on such examination material to be known, by the commissioners for executing the office of lord high admiral of Great Britain for the time being; the particulars of all which, such collector, comptroller, or other chief officer, shall forthwith transmit to the said commissioners, or their secretary for the time being, together with such journal so as aforesaid delivered up for the information of the said commissioners; and that no ship or vessel, having such commission or letter of marque, shall be permitted to sail out of port again after such her arrival until such journal shall have been delivered up as aforesaid, and until such captain, master, commander, or commanding officer, shall have obtained a certificate under the hand of such collector, comptroller, or other chief officer of the customs, that such ship or vessel is manned and armed according to the tenor and description inscribed in such commission or letter of marque as aforesaid, which certificate such collector, comptroller, or other officer of the customs, is hereby authorised and required to give gratis, in case such ship or vessel shall be found to be manned and armed conformably to such description as above mentioned, and on the delivery of which certificate the former certificate of the like nature which shall have been granted in respect of such ship or vessel, shall be given up to the said collector, comptroller, or other chief officer of the customs; and if any collector, comptroller, or other officer of the customs, shall wilfully and knowingly grant any false or fraudulent certificate for any such ship or vessel, he shall, for such offence, forfeit his said office, and be forever incapable of holding any office under government, and shall also forfeit the sum of one hundred pounds, to be recovered, with full costs of suit, by any person or persons who will sue for the same.

No letter of
marque to
leave the port
till the jour-
nal shall have
been deliver-
ed, and a
certificate
obtained that
it is manned
and armed
agreeably
to the com-
mission.

Officers giv-
ing false
certificates,
to forfeit
their office,
and sool.

same by action of debt, bill, plaint, or information, in any of his Majesty's courts of record, in which no escaon, protection, or wager of law, or more than one imparlance, shall be allowed; and one moiety of the said penalty of one hundred pounds, when recovered, shall be paid to the informer or informers, and the other moiety to the treasurer for the time being of the corporation for the support of the sick, maimed, and disabled seamen, and of the widows and children of such as shall be killed, slain, or drowned, in the service of the merchants, for the use of such corporation, or where such forfeiture shall be incurred in any of the out ports in which a corporation is established for the purposes aforesaid, then one moiety of such penalty shall be paid to the trustees for the use of the corporation so to be established.

IX. And be it further enacted by the authority aforesaid, That Rules to be observed by captains of letters of marque on meeting ships of war or of the revenue.

in case any such ship or vessel so having a commission or letter of marque, shall, in the course of her voyage or cruise meet or fall in with any of his Majesty's ships or vessels of war, or ships or vessels in the service of his Majesty's revenue of customs or excise, the captain, master, commander, or commanding officer of such ship or vessel having such commission or letter of marque shall and is hereby required to produce to the captain or other officer commanding such ship or vessel of war, or revenue ship or vessel, the said journal, so to be kept as aforesaid, and also his commission for such ship or vessel, and the certificate given by the collector, comptroller, or other chief officer of the customs, at the port from whence she shall have last sailed, of her being manned and armed agreeably to the description above mentioned; and such captain or officer commanding such ship or vessel of war, or the King's revenue ship or vessel, shall and is hereby required to make a memorandum in such journal of the day on which it was so produced to him, and shall subscribe his name to such memorandum; and in case such ship or vessel, on board which such journal is required to be kept as aforesaid shall put into a foreign port where there is a British consul, or other chief British officer, the captain, master, commander, or commanding officer of such ship or vessel so having a commission or letter of marque, shall and is hereby required to produce such journal, and also his commission, and the certificate above mentioned, to such British consul or other chief British officer, who shall and is hereby required also to make a memorandum in such journal of the day on which it was so produced to him, and shall, in like manner, subscribe the same; and such captain or officer commanding such ship or vessel of war, or revenue ship or vessel, and such British consul, or other chief British officer at such foreign port respectively, shall and may, by themselves, or any person or persons authorised or deputed by them, go on board such ship or vessel so having a commission or letter of marque, and muster the officers and crew thereof, and examine the guns, arms, and ammunition, on board the same, and if the same shall not correspond with the commission and certificate above mentioned respectively,

**Penalty on
captains for
not keeping
a journal,
making false
entries, or
false oath, or
not observing
any of the
foregoing
rules.**

respectively, such captain or officer, or *British* consul, or other chief *British* officer, shall forthwith so communnicate the same to the secretary for the time being to the said commissioners for executing the office of lord high admiral of *Great Britain*, for the information of the said commissioners.

X. And be it further enacted by the authority aforesaid, That if the captain, master, commander, or commanding officer of any such ship or vessel so having a commission or letter of marque as aforesaid, shall neglect or omit to keep such journal in manner aforesaid, or shall wilfully make, or cause or procure to be made, any false or fraudulent entries therein, or wilfully neglect to make, or subduct, expunge, obliterate, or erase when made, any material transaction or occurrence relative to the proceedings of such ship or vessel wherein his Majesty's interest is in any manner concerned, or shall refuse to produce to the captain or other officer commanding any ship or vessel of war, or revenue ship or vessel, which he shall meet or fall in with in the course of his voyage or cruize, or to the *British* consul or chief *British* officer at such foreign port, such journal so to be kept as aforesaid, or the commission for such ship or vessel, or the certificate of the collector, comptroller, or other chief officer of the customs at the port from whence he shall have last sailed as aforesaid, or shall refuse to permit such captain or officer commanding such ship or vessel of war, or revenue ship or vessel, or such *British* consul, or chief *British* officer at such foreign port, or the person or persons by them respectively authorised for that purpose, to come on board such ship or vessel for the purpose of mustering her officers and crew, and examining her guns, arms, and ammunition, or shall, after his arrival in any port as aforesaid, sail out again without having delivered, upon oath, such journal so kept and signed as aforesaid, and without having produced his commission for such ship or vessel, and obtained such certificate from the collector, comptroller, or chief officer of the customs, as before mentioned, and also delivered up to him the certificate which shall have been before granted in respect of such ship or vessel; then, and in either of the said cases, the commission or commissions, and letter or letters of marque, granted for such ship or vessel, shall be null and void to all intents and purposes whatsoever, and such captain, master, commander, or commanding officer, shall forfeit, for every such offence, the sum of five hundred pounds, one moiety thereof to the use of the royal hospital at Greenwich, and the other moiety, together with full costs of suit, to the use of such person as shall discover and sue for the same, to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record, wherein no essein, protection, privilege, or wager of law, or more than one imparlance, shall be allowed; and moreover, in case any captain, master, commander, or commanding officer, shall take a false oath on delivering up such journal as aforesaid, he shall, on conviction thereof, incur and suffer the like pains and penalties as are by law inflicted upon persons committing wilful and corrupt perjury;

jury; and in case any of the offences above mentioned shall be committed out of this realm, the same may be alledged to have been committed, and may be laid, inquired of, tried, and determined, in any county in *England*, in the same manner, to all intents and purposes, as if the same had been actually done or committed within the body of such county.

XI. And be it further enacted by the authority aforesaid, That if the captain, master, acting owner, or other person having the command of any merchant ship under convoy, shall wilfully disobey signals or instructions, or any other lawful commands of the commander of the convoy, or shall desert the convoy without notice given, and leave obtained for that purpose, he shall be liable to be articled against in the court of instance in the high court of admiralty, at the suit of the King in his office of admiralty, for disobedience to the orders of the convoy, and, upon conviction thereof, shall be fined, at the discretion of the said court, in any sum not exceeding five hundred pounds, and shall suffer such imprisonment, not exceeding, one year, as the said court shall adjudge.

XII. And whereas by an act, made and passed in the nineteenth year of the reign of his present Majesty, intituled, An act for the encouragement of seamen, and the more speedy and effectual manning his Majesty's navy, it is enacted, That the flag officers, commanders, and other officers, seamen, marines, and soldiers on board every ship and vessel of war in his Majesty's pay, should have the sole interest and property of and in all and every ship, vessel, goods, and merchandizes, which they had taken since the twenty-ninth day of July one thousand seven hundred and seventy-eight, or should thereafter take, during the continuance of hostilities against France, (being first finally adjudged lawful prize), to be divided in such proportions, and after such manner as in his Majesty's proclamation therein mentioned was directed, or as his Majesty, his heirs and successors, should direct by proclamation or proclamations thereafter to be issued; and it is by the aid act directed, that after the sale or sales of any prize or prizes taken by any of his Majesty's ships of war, publick notification should be given by the agents appointed for the receipt and distribution of prize and bounty money as therein mentioned, for the payment of the several bares to the captors, in the manner therein particularly set forth; after which notification, if any man's share should remain in the hands of the agents appointed as aforesaid, either belonging to such men as should be un from his Majesty's service, or which should not be demanded within three years, then such share or shares so remaining in the agents hands, belonging to such men as should run from his Majesty's service, should go and be paid to the use of Greenwich Hospital: and whereas by another act, passed in the twentieth year of the reign of his present Majesty, intituled, An act to amend an act, made in the last session of parliament, intituled, 'An act for the encouragement of seamen, and the more speedy and effectual manning his Majesty's navy, and for making further provisions for those purposes;' and by another act, made in the twenty-first year of the reign of his said present Majesty, intituled, An act for the encouragement of seamen, and c. 23.

and the more speedy and effectual manning his Majesty's navy, it was enacted, That the flag officers, commanders, and other officers, seamen, marines, and soldiers, on board every ship or vessel of war in his Majesty's pay, should have the sole interest and property of and in all and every ship, vessel, goods, and merchandizes, which they had taken since the respective days in the said acts respectively mentioned, or should thereafter take during the continuance of hostilities against Spain and the United Provinces respectively, (being adjudged lawful prize), to be divided in such proportions, and after such manner, as his Majesty had by his several proclamations in the said acts respectively mentioned, directed, or as his Majesty, his heirs and successors, should think fit to order and direct by proclamation or proclamations thereafter to be issued for those purposes; and whereas by another act, made in the thirty-fifth year of the reign of his present Majesty, intituled, An act to explain and amend an act, made in the twentieth year of the reign of his present Majesty, intituled, ' An act to amend an act, made in the last session of parliament, intituled, " An act for the encouragement of seamen, and the more speedy and effectual manning his Majesty's navy, and for making further provisions for those purposes;" and also an act, made in the twenty-first year of the reign of his present Majesty, intituled, ' An act for the encouragement of seamen, and the more speedy and effectual manning his Majesty's navy;' and for the better encouragement of seamen for his Majesty's navy; after reciting the first-mentioned act of the nineteenth year of the reign of his present Majesty, and that by the two last mentioned acts of the twentieth and twenty-first years of the reign of his said Majesty, certain provisions were made for the distribution and payment of prize and bounty money to arise from Spanish and Dutch ships and vessels to be captured by such ships and vessels as should be commissioned by letters of marque; but that no sufficient provisions or regulations were contained in the two last mentioned acts respecting such Spanish and Dutch ships and vessels as should be captured by his Majestys ships and vessels of war; it was therefore enacted, That all the provisions and regulations in the said two last mentioned acts should extend to all such Spanish and Dutch prizes as were made by any of his Majesty's ships and vessels of war during the hostilities therein mentioned, and that no lapse of time should incur or be pleadable in bar of the demands which might thereafter be made by the commissioners and governors of the royal hospital for seamen at Greenwich, under and by virtue of the said acts as thereby amended, but from the passing of that act: and whereas, during the continuance of the hostilities mentioned in the three several first above recited acts, divers ships and vessels, goods, merchandizes, treasure, and effects, of great value, were captured by the conjoint operation of his Majesty's sea and land forces, and after final condemnation of prize, the proceeds thereof were paid to the agents for the captors, to be distributed in such proportions as were established in the navy for the distribution of prizes, or as his Majesty should think proper to direct: and whereas doubts have arisen whether the shares belonging to such men as should be run from his Majesty's sea service, or which should not

35 Geo. 3.
C. 121, re-
cited.

not be demanded within three years of and in such proportions of the proceeds last mentioned as were allotted to the sea forces employed in different captures, should go and be paid to the use of Greenwich Hospital, in the same manner as the like shares of the proceeds of prizes taken by his Majesty's sea forces alone are by the said first recited act, made in the nineteenth year of the reign of his present Majesty, and by the said two subsequent acts of the twentieth and twenty-first years of his said Majesty's reign, as amended by the said last recited act, made in the thirty-fifth year of his said Majesty's reign, directed to be paid: to obviate which doubts, be it enacted by the authority aforesaid, That the shares belonging to such men as shall be run from his Majesty's sea service of and in all such parts and proportions of the proceeds of the ships, vessels, treasure, goods, wares, merchandizes, and effects, taken during the hostilities mentioned in the said three first above recited acts, by the conjoint operation of his Majesty's sea and land forces, as shall have been decreed, granted, or allotted, to his Majesty's sea forces, employed in making capture thereof, and also all such shares of and in the said parts and proportions of the said proceeds as have not been, or shall not be, demanded within three years from the times of the respective notification of distribution thereof, shall go and be paid to the treasurer of the said hospital at Greenwich, for the use of the said hospital; and that all and singular the provisions and regulations, clauses, provisoies, restrictions, pains, penalties, forfeitures, matters, and things whatsoever, contained in the said recited act of the nineteenth year of the reign of his present Majesty, relating to the notification of payment and distribution of the proceeds of prizes taken by his Majesty's ships of war, and to the making up the accounts thereof, and also to the payment of the shares of run men and unclaimed shares of such proceeds to and to the use of the said hospital at Greenwich, shall extend, and be deemed and construed to extend, to all such parts and proportions of the proceeds of prizes taken during the hostilities last above mentioned by the conjoint operation of his Majesty's sea and land forces, as shall have been so decreed, granted, or allotted, to his Majesty's sea forces, as aforesaid; any thing in the said recited acts, or any of them, contained to the contrary thereof in any-wise notwithstanding.

Shares of
prizes taken
during the
hostilities,
mentioned in
the three first
recited acts,
jointly by the
sea and land
forces, be-
longing to
sailors who
have run, and
shares not
demanded
within three
years from
notification
of distribu-
tion, to be
paid for the
use of Green-
wich hospital,
&c.

XIII. And be it further enacted by the authority aforesaid, That if any action or suit shall be brought or commenced against any person or persons for any matter or thing by him or them done or executed by virtue of or in pursuance of this act, such action or suit shall be commenced within two years next after the matter or thing done, and the defendant or defendants in such action or suit shall and may plead the general issue, and General issue, give this act and the special matter in evidence at any trial to be had thereon, and that the same was done in pursuance of and by authority of this act; and if afterwards a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuited, or discontinue his or their action or prosecu-
tion,

Limitation
of actions.

Treble costs.

tion, or judgement shall be given against him or them upon demurrer or otherwise, then such defendant or defendants shall have treble costs awarded to him or them against such plaintiff or plaintiffs.

Continuance
of act.

XIV. And be it further enacted by the authority aforesaid, That this act shall continue in force during the present hostilities with *France*, the *United Provinces*, and *Spain* respectively, (as far as the matters and things herein contained relate to or concern the said hostilities respectively), and no longer; save and except all such matters and things as shall be depending in judgement in the high court of admiralty, or other courts of admiralty in his Majesty's dominions abroad, or court of appeal, or in any court of record in *Great Britain*, or the plantations, in consequence of the capture or captures made during the present hostilities, or of any offence committed contrary to this act, in respect whereof this act shall continue in full force until such matters, and every thing dependent thereupon, shall be finally adjudged and determined.

C A P. CX.

An act for granting to his Majesty additional duties of customs on certain goods, wares, and merchandize, imported into, exported from, or carried coastwise; and on pepper to be used and consumed in this kingdom.—[July 19, 1797.]

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making a permanent addition to the publick revenue, have freely and voluntarily resolved to give and grant unto your Majesty the several additional duties of customs herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the eighteenth day of July one thousand seven hundred and ninety-seven, there shall be raised, levied, collected, and paid, unto and for the use of his Majesty, his heirs and successors, over and above the duties payable by law, the following additional duties of customs, in ready money, without any discount or abatement whatever; that is to say, For every pound weight of pepper which shall have been, or shall be, lodged or secured in any warehouse in this kingdom, under his Majesty's locks, an additional duty of three-pence; and so in proportion for any greater or less quantity: which said duty shall be paid to the proper officer of his Majesty's customs, before any such pepper shall be delivered out of or from any such warehouse, in order to be used or consumed in this kingdom.

From July 18, 1797, an additional duty of 3d. on every lb. of warehoused pepper delivered for home consumption.

II. And

II. And be it further enacted, That there shall be raised, An additional duty of 5*l.* levied, collected, and paid, unto and for the use of his Majesty, per cent. to be his heirs and successors, an additional duty of customs, at and paid upon the rate of five pounds *per centum*, upon the produce and amount of all the several duties of customs payable by law, for the duties of and upon any goods, wates, and merchandize, which shall be customs upon imported into, exported from, or brought or carried coastwise imported, within Great Britain, except as herein-after is excepted: provided always, That the said duty of five pounds *per centum*, herein-before granted, shall not be charged or paid for or on account of any prize goods which shall be warehoused in this kingdom, by virtue of any act or acts of parliament made for granting relief to the captors of prizes, with respect to the bringing and landing prize goods in this kingdom, unless until such goods shall be taken out of, or delivered from, such warehouses, to be used or consumed in this kingdom; in which case, and before any prize goods now warehoused, or hereafter to be warehoused, shall be so taken out of, or delivered from, such warehouses, the duty of five pounds *per centum* on the produce and amount of the respective duties of customs, payable by law on any such goods so taken out of, or delivered from, such warehouses, shall be first paid to the proper officer of his Majesty's customs: provided also, That the said duty of five pounds *per centum* herein-before granted, shall not be charged or paid on the produce and amount of the duties of customs payable, on the importation into Great Britain of any tea, sugar, wine, tobacco, ordinary oil of olives, or calicoes, nor on the produce and amount of the additional duties of customs of five pounds and of ten pounds *per centum* granted by an act, passed in this present session of parliament, (amongst other things), for granting to his Majesty certain duties of customs on goods, wares, and merchandize, imported into, exported from, or brought or carried coastwise within Great Britain.

III. And be it further enacted, That the additional duties respectively imposed by this act upon pepper to be used in this kingdom, shall be also subject and liable to an additional duty of five pounds *per centum* thereon, in the same manner and under the same regulations as the said duty was imposed by the act of parliament passed in this present session before-mentioned, and shall also be subject and liable to the additional duty of five pounds *per centum* granted by this present act.

IV. And be it further enacted, That such of the duties of customs by this act granted as shall arise in that part of Great Britain called England, shall be under the management of the commissioners of the customs in England for the time being; and such thereof as shall arise in that part of Great Britain called Scotland, shall be under the management of the commissioners of the customs in Scotland for the time being.

V. And be it further enacted, That the several duties of customs granted by this act shall and may be respectively managed, ascertained, raised, levied, collected, answered, paid, and Duties to be recovered managed as

the duties imposed on like goods by 27 Geo. 3. c. 13. and the acts in force at passing this act to extend thereto.

recovered, in such and the like manner, and in and by any and either of the ways, means, or methods by which the duties of customs imposed on the like goods by an act, passed in the twenty-seventh year of the reign of his present Majesty, (amongst other things), for repealing the several duties of customs and excise, and granting other duties in lieu thereof, were or might be managed, ascertained, raised, levied, collected, answered, paid, and recovered; and the said goods, wares, or merchandize, so by this act respectively made chargeable with duties of customs, shall be and the same are hereby made subject and liable to all and every the conditions, regulations, rules, restrictions, and forfeitures, to which the like goods, wares, or merchandize were subject and liable, by any act or acts of parliament in force on and immediately before the passing of this act; and all and every pain, penalty, fine, or forfeiture, for any offence whatever committed against or in breach of any act or acts of parliament in force on and immediately before the passing of this act, made for securing the revenue of customs, or for the regulation or improvement thereof, and the several clauses, powers, and directions therein contained, shall, and are hereby directed and declared to extend to, and shall be respectively applied, practised, and put in execution, for and in respect of the several duties of customs hereby respectively charged, (as far as the same are applicable thereto), in as full and ample a manner, to all intents and purposes whatever, as if all and every the said acts, clauses, provisions, powers, directions, fines, pains, penalties, and forfeitures, were particularly repeated and re-enacted in the body of this present act.

Duties to be carried to the consolidated fund.

Application of duties, which, for ten years, are, with others granted for the same purpose, to be kept separate from all other monies.

VI. And be it further enacted, That all the monies from time to time arising by the several new and additional duties by this act imposed as aforesaid, (the necessary charges of raising and accounting for the same respectively excepted), shall, from time to time, be paid into the receipt of his Majesty's exchequer at Westminster; and the said money, so paid in as aforesaid, shall be carried to and made part of the consolidated fund.

VII. Provided always, and be it further enacted, That the monies to arise as aforesaid, or so much thereof as shall be sufficient, shall be deemed an addition made to the revenue for the purpose of defraying the increased charge occasioned by any loan raised or stock created by virtue of any act or acts passed in this session of parliament; and that the said monies, during the space of ten years next ensuing, shall continue to be paid into the said receipt of his Majesty's exchequer, distinctly and apart from all other branches of the publick revenue; and that there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book or books, in which all the monies arising from the said duties and paid into the said receipt by virtue of this act shall, together with the monies arising from any other duties granted, or to be granted, in this session of parliament, for the purpose of defraying such increased charge as aforesaid, be entered, separate and apart from all other monies.

C A P. CXI.

A act for granting to his Majesty an additional stamp duty on deeds.
—[July 19, 1797.]

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the Preamble. commons of Great Britain in parliament assembled, towards raising the necessary supplies to defray your Majesty's blick expences, and making a permanent addition to the publk revenue, have freely and voluntarily resolved to give and ant unto your Majesty the duty herein-aster mentioned; and do st humbly beseech your Majesty that it may be enacted; and it enacted by the King's most excellent majesty, by and with advice and consent of the lords spiritual and temporal, and mons, in this present parliament assembled, and by the thority of the same, That there shall be raised, levied, col- For every deed, and paid, throughout the kingdom of Great Britain, upon deed made ery deed which shall be made after the first day of August one ^{after Aug. 1,} ousand seven hundred and ninety-seven, an additional stamp additional ty of ten shillings, which duty shall be paid over and above all duty of 10s. ties now payable on the stamped vellum and paper, wheron to be paid. h deed shall be engrossed, written, or printed.

II. Provided always, That nothing in this act contained shall A&t not to construed to extend to charge any bond or letter of attorney extend to th the duty hereby imposed; nor any deed whatever, executed bonds or letters of any party, or any one or more of the parties thereto, and bear- attorney, &c. date before the first day of August one thousand seven hundred ninety-seven.

III. Provided also, and be it further enacted, That nothing in Nor to cer- s act contained shall be construed to extend to any indenture tain inden- apprenticeship, where a sum or value not exceeding ten pounds tures of ap- will be given or contracted with or in relation to the apprentice, or leases. to any lease of lands or tenements, for a term not exceeding ty-one years, the full improved annual value whereof, and t reserved thereby, shall not be more than ten pounds; nor to lease for lives, or for years determinable on lives, where the or consideration shall not exceed twenty pounds, and the t reserved shall not exceed forty shillings; any thing before attained to the contrary notwithstanding.

V. And be it further enacted, That, for the better and more Duty to be actual levying, collecting, and paying, the said duty herein- under the ore granted, the same shall be under the government, care, management of the com- management, of the commissioners for the time being ap- misioners of mitted to manage the duties charged on stamped vellum, parch- stamps. it, and paper, who, or the major part of them, are hereby uired and empowered to employ the necessary officers under n for that purpose, and to allow such salaries and incidental charges

charges as shall be necessary; and whenever they see occasion, to use such stamps as shall have been provided to denote any former duties on stamped vellum, parchment, or paper, or to cause such new marks or stamps to be provided to denote the said duty as shall be requisite in that behalf, and to repair, renew, and alter, the same from time to time as there shall be occasion, and do all other things necessary to be done for putting this act in execution with relation to the duty herein-before granted, in the like, and in as full and ample a manner as they, or the major part of them, are authorised to put in execution any former law concerning stamped vellum, parchment, and paper.

Persons forging, &c.
stamps, to suffer death.

V. And be it further enacted, That if any person shall counterfeit or forge, or cause and procure to be counterfeited or forged, any stamp or mark, directed or allowed to be used by this act, for the purpose of denoting the duty by this act granted, or shall counterfeit or resemble the impression of the same, with an intent to defraud his Majesty, his heirs or successors, of the said duty, or shall utter, vend, or sell, any vellum, parchment, or paper, with such counterfeit mark or stamp thereupon, knowing such mark or stamp to be counterfeit; or if any person shall fraudulently use any stamp or mark directed or allowed to be used by this act, with intent to defraud his Majesty, his heirs or successors, of the said duty; every person so offending, and being thereof convicted, shall be adjudged a felon, and shall suffer death as in cases of felony, without benefit of clergy.

Powers of former acts relating to stamps, (except as herein-after mentioned), to extend to this act.

VI. And be it further enacted, That all powers, provisions, articles, clauses, and all other matters and things prescribed or appointed by any former act or acts of parliament relating to the stamp duties on vellum, parchment, and paper, (except such acts as are herein-after mentioned), shall be in full force and effect with relation to the duty hereby imposed, and shall be applied and put in execution, for the raising, levying, collecting, and securing, the said new duty hereby imposed, according to the true intent and meaning of this act, as fully, to all intents and purposes, as if the same (except as herein-after mentioned) had severally and respectively been hereby enacted, with relation to the said duty hereby imposed.

No deed good, unless properly stamped.

VII. And be it further enacted, That no deed shall be pleaded or given in evidence, or be good, useful, or available, in any manner whatever, unless the same shall be stamped as required by this act.

On payment of duty within a limited time, deeds may be stamp'd with the additional stamp, &c.

VIII. And be it further enacted, That, upon payment within the time and in the manner herein-after mentioned of the duty hereby imposed, it shall be lawful for the said commissioners, & their officers appointed for such purpose, to stamp any vellum, parchment, or paper, or any skin, sheet, or piece thereof, or which any such deed or any part thereof shall have been engrossed, printed, or written, with the additional stamp provided or directed to be used by virtue of this act; and also, on payment of the like duty, to stamp any vellum, parchment, or paper, on which any deed, or any part thereof, shall be intended to be engrossed, printed,

inted, or written, with the said additional stamp; and no person shall, from and after the passing of this act, be liable any penalty or forfeiture for stamping or causing to be stamped with such additional stamp as aforesaid, any vellum, parchment, paper, on which any such deed hath been engrossed, printed, written, or for engrossing, printing, or writing, any deed on vellum, parchment, or paper, before the same shall be stamped with the additional stamp to be provided according to the directions of this act; nor shall any deed be subject or liable, by virtue of this act, to the payment of any greater duty than the sum before mentioned, or to be stamped on more than one skin, sheet, or piece thereof, with the said additional stamp, or to be stamped with more than one such stamp as aforesaid; nor shall all the duty by this act imposed be liable to the regulations of any act or acts of the present session of parliament, respecting the stamping of vellum, parchment, and paper, according to the number of common law sheets engrossed, printed, or written thereon; any thing in any act or acts of parliament contained to the contrary thereof notwithstanding.

Deeds not
subject to be
stamped on
more than one
skin with the
additional
stamp, &c.

IX. And be it further enacted; That it shall be lawful for any person or persons to bring or send any vellum, parchment, or paper, on which any deed or any part thereof is intended to be engrossed, printed, or written, to the head office of stamps, or officer to be appointed by the said commissioners, to be stamped with the additional stamp as aforesaid, before the same shall be so engrossed, printed, or written; or to bring or send as aforesaid any deed which shall have been engrossed, printed, or written, on vellum, parchment, or paper, stamped according to the laws in force for stamping vellum, parchment, or paper, to be stamped in any skin, sheet, or piece thereof, with the said additional stamp, within the space of sixty days after the date thereof, and the said commissioners, or their officers, are hereby respectively required, on payment of the duty hereby imposed, to cause such vellum, parchment, or paper, or such deed, so brought or sent within the time aforesaid, to be stamped according to the directions of this act, which stamp shall be a sufficient discharge for the duty hereby granted on such deed.

Vellum, &c.
may be
brought to
the head
office to be
stamped with
the additional
duty before
engrossed,
&c. and
deeds on
the former
stamps may
be brought
within a
limited time
to be so
stamped.

X. And be it further enacted, That all vellum, parchment, or paper, which shall be to be stamped with the said additional stamp, before any deed or any part thereof shall be engrossed, written, or printed thereon, shall be brought for such purpose, and the duty for the same shall be paid at the said head office; and in case any deed shall, within sixty days after the date thereof, be brought to the said head office to be stamped as aforesaid, then the same shall forthwith, on payment of the said duty, be stamped with the said additional stamp; and in case by deed shall, within the time aforesaid, be brought, and the duty for the same be paid at any other office, to be appointed by the said commissioners, the officer at such office is hereby required to indorse on such deed a receipt for the duty so paid, in words at length, bearing date on the day on which such payment

Vellum, &c.
to be brought
to the head
office to be
stamped with
the additional
duty; and
deeds may
within 60
days after the
date be there
so stamped; and
if the duty be
paid at any
other office,
the officer to
indorse a re-
ceipt on the
deed shall

If the duty
be not paid
within 60
days, the
deed may be
stamped on
payment of
the duty and
sol. penalty.

Duty to be
carried to the
consolidated
fund.

Appropriation of the
duty, which
for 10 years
shall, with
other duties
granted
for the same
purpose, be
kept separate
from other
monies.

Preamble.

Gaolers to
make out lists
of prisoners

shall be made, and to subscribe his name thereto, and enter an account thereof, in a book or books to be provided for that purpose, and forthwith to deliver back the said deed to the bringer thereof; and every such deed, on being brought to the said head office, shall be forthwith stamped with the said additional stamp, by the officer to be appointed for that purpose: provided always, That if the duty for any such deed shall not be paid within the said period of sixty days before mentioned, it shall nevertheless be lawful to bring or send such deed to the said head office to be stamped as aforesaid, at any time after the expiration of the said sixty days from the date thereof, and it shall be lawful to stamp any such deed so brought or sent after the expiration of the said sixty days, on payment of the duty hereby imposed, and the further sum of ten pounds by way of penalty, for omitting to pay the said duty within the period before mentioned.

XI. And be it further enacted, That all monies arising by the said duty hereby imposed, (the necessary charges of raising and accounting for the same excepted, shall from time to time be paid into the receipt of his Majesty's exchequer, and shall be carried to, and made part of, the consolidated fund.

XII. Provided always, and be it further enacted, That the monies arising or to arise of the said duty by this act imposed, or so much thereof as shall be sufficient, shall be deemed an addition made to the revenue for the purpose of defraying the increased charge occasioned by any loan raised or stock created by virtue of any act or acts passed in this session of parliament, and that the said monies shall, during the space of ten years next ensuing be paid into the said receipt, distinctly and apart from all other branches of the publick revenue; and that there shall be kept and provided in the office of the auditor of the said receipt, during the said period of ten years, a book or books in which all the monies arising from the said duty and paid into the said receipt shall, together with the monies arising from any other rates and duties granted or to be granted in this session of parliament, be entered separate and apart from all other monies, paid or payable to his Majesty, his heirs or successors, upon any account whatever.

C A P. CXII.

An act for the relief of certain insolvent debtors.—[July 19, 1797.]

WHEREAS, notwithstanding the great prejudice and detriment which acts of insolvency produce to trade and credit, may be convenient, in the present condition of the prisons and gaols of this kingdom, that some of the prisoners who are now confined therein should be set at liberty; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, all and every keeper or gaoler

of any prison, in any county, riding, division, city, town, place, who, on Jan.
or liberty, within this kingdom, shall, is, and are hereby re-
quired to make a true, exact, and perfect list, alphabetically, of the name or names of all and every person or persons, who, upon making them
the first day of January one thousand seven hundred and ninety-
seven, was or were, or at any time since have been, under the
terms and conditions herein mentioned, and at the time of mak-
ing out every such list shall be, really an actual prisoner or pri-
soners, in the custody of any keeper or keepers, gaoler or gaolers,
of any prison respectively, upon any process whatsoever, for or by
reason of any debt, damage, costs, sum or sums of money, or
contempt for non-payment of money; and an account of the
time when such prisoner or prisoners was or were respectively
charged in custody, or received in prison, together with the name
or names of the person or persons at whose suit or prosecution
such prisoner or prisoners is or are detained; and shall deliver Lists to be de-
the same to the justices of the peace, at their first or second livered to the
general quarter session, or general session of the peace, to be held quarter
after the passing of this act, or at some adjournment thereof, for
such county, riding, city, division, town, place, or liberty
respectively.

II. And be it further enacted, That the warden of his Majesty's Warden of
prison of the Fleet, and marshal of the King's bench prison, and to take an
every other keeper and gaoler of any other prison in any place or oath on de-
liberty, shall severally, on the delivering in of any such list of livering in
prisoners in their respective custody, take an oath, in the open lists.
court of such general quarter session or general session of the
peace, or adjournment thereof, to the effect following; that is
to say),

I A. B. upon my corporal oath, in the presence of Almighty Oath.
God, do solemnly swear, profess, and declare, That all and
every person and persons, whose name or names is or are inserted
and contained in the first part of the list by me now delivered in
and subscribed, was or were, to the best of my knowledge and
belief, upon the first day of January one thousand seven hundred
and ninety-seven, really and truly prisoners in actual custody, in
the prison of [insert the name of the prison], at the suit or suits of
the several person or persons therein respectively mentioned; and
also that all and every person and persons whose name or names
is or are inserted or contained in the second part of the said list
now by me delivered in and subscribed as aforesaid, have, since
the said first day of January one thousand seven hundred and
ninety-seven, been committed or surrendered to the said prison
[insert the name of the prison] at the suit or suits of the several
person or persons therein respectively mentioned; and that the
person or persons whose name or names is or are therein contained,
was and were, to the best of my knowledge and belief, really and
truly prisoners in actual custody on the said first day of January,
as appears by the returns made to me on his and their respective
commitments.

So help me G O D.'

Which

Oath to be administered in open court, and entered at the end of the list.

List to be kept by the clerk of the peace, and may be examined gratis.

Three copies of lists to be fixed up in each prison ten days before the session.

Prisoners, on Jan. 1, 1797, for debts not exceeding £1000 conforming to this act, to be discharged.

Justices, on petitions of prisoners, delivering schedules of their estates, may issue warrants for bringing them to the quarter session, &c.

Which the said justices, at their first or second general quarter session or general session aforesaid, or at some adjournment thereof, within their respective jurisdictions, are hereby empowered and required to administer in open court; and the words of the said oath, herein-before directed to be taken by the said warden and marshal respectively, and other keeper or gaoler of any prison respectively, shall be entered or written at the end or bottom of the list which shall be delivered in by them respectively, and shall be subscribed and sworn to by them respectively in open court; and every such list which shall be so delivered in, subscribed, and sworn to, in pursuance of this act, shall be kept by the clerk of the peace, town clerk, or other officer acting as clerk of the peace of every such county, riding, division, city, town, place, or liberty respectively, in which any such list as aforesaid shall be sworn to, for the better satisfaction of the said justices, and information of all or any prisoner or prisoners therein named, and so as the same may, from time to time, be seen and examined by any creditor or creditors, or prisoner or prisoners, without fee or reward.

III. And be it further enacted by the authority aforesaid, That all and every keeper or gaoler, keepers or gaolers, of any prison or gaol, is and are hereby required, ten days at least before the first or second general quarter session or general session of the peace shall be held after the passing of this act for the county, riding, city, division, town, place, or liberty, in which any prison or gaol shall be, or which the same shall belong, to fix up, in some conspicuous place or places in every such prison or gaol, and at the most frequented and usual gate, door, or entrance, into every such prison or gaol, three or more true copies of the list or lists proposed or intended to be delivered in by any such keeper or gaoler at the said general quarter sessions, or at some adjournment thereof.

IV. And be it further enacted, That all and every person and persons who on the first day of January one thousand seven hundred and ninety-seven, were charged in any prison or gaol for the nonpayment of any debt or debts, sum or sums of money, which did not in the whole amount to a greater sum than one thousand two hundred pounds, and whose name or names shall be inserted in any such list to be delivered in as aforesaid, taking the oaths hereby directed to be taken, and shall perform, on his or her part, what is required to be done by him or her by this act, shall be for ever released, discharged, and exonerated, in such manner as is herein-after provided.

V. And be it further enacted, That it shall and may be lawful for any justice or justices of the peace of any county, riding, division, city, town, place, or liberty, within this kingdom, upon the petition of any such prisoner or prisoners to any justice or justices of the peace, within his or their respective jurisdictions, upon every such prisoner or prisoners so petitioning, and, at the time of his or her so petitioning, leaving with the justice or justices of the peace so petitioned, a true copy of the schedule, containing his or her intended discovery of his or her

er real and personal estate, to be sworn to at the first or second general quarter session next ensuing after every such petition, or one adjournment thereof, by warrant under his hand and seal, or under their hands and seals, to require the sheriff or sheriffs, keepers or gaolers of any such prison, within the jurisdiction of any such justice or justices, to bring before the justices at the first or second next general quarter session or general session of the peace, & any adjournment thereof, to be held, as the case shall happen to be, next after the expiration of ten days from the date of such warrant for such respective county, riding, division, city, town, place, or liberty, the body of any person being in the said prison as aforesaid, with the warrant or warrants of his or her detainer, together with a copy or copies of the cause or causes which he, she, or they is or are charged with in any prison or gaol as aforesaid, at the time aforesaid; for which copy or copies of cause or causes, such prisoner shall apply to the said keeper or gaoler of such prison, or to the clerk of the papers, or other person who shall make out and transcribe the same, at least six days before the time of his or her appearance, which warrant of every justice or justices, every such sheriff and sheriffs, keeper or gaoler, is and are hereby commanded to obey.

VI. And be it further enacted, That the copy of every such schedule which shall be left or delivered in as aforesaid, shall be and remain with the clerk of the peace, town clerk, or other officer acting as clerk of the peace for the county, riding, division, city, town, place, or liberty, in which the same shall have been so left, there to remain and be inspected, from time to time, as occasion shall require, by any creditor of any such prisoner who shall desire to inspect the same.

Schedules to remain with the clerk of the peace for inspection.

VII. And be it further enacted, That all and every debtor and debtors who shall intend to apply to be discharged and exonerated under this act as aforesaid, shall first cause publick notice to be inserted in three several *London Gazettes*, previous to such general or quarter session or general session, or the adjournment thereof, at which such application shall be made; and if such debtor shall be in custody in any gaol out of *London*, or the weekly bills of mortality, then also in some newspaper which shall be published in or near the county, riding, division, city, town, liberty, or place, in the gaol whereof he or she shall be so in custody, containing the name, trade, occupation, and description, and the two last places of abode, if so many, of every such debtor and debtors, and the prison wherein he, she, or they is or are confined, and of his, her, or their intention to take the benefit of this act, and mentioning such notice in such *Gazette*, or newspaper to be the first, second, or third notice, according to the time of publishing each of such notices; for the inserting each of the said notices in the *London Gazette*, or in any other newspaper, there shall be paid each time, by every prisoner the sum of four-pence and no more, the first of which said notices shall be so inserted in the said *Gazette* and in the said other newspapers, as the case may require, twenty-one days at the least, and

Debtors intending to apply for their discharge, to give previous notice thrice in the Gazette, &c.

and the last of the said notices six days at the least, before any such first or second general quarter session or general session, or adjournment thereof, shall be held as aforesaid, so that as well all the creditors who have not charged the said debtor or debtors in custody, as those creditors who have charged such debtor or debtors in execution, or on mesne process, or otherwise, may have sufficient notice thereof.

VIII. *And, to the intent that all creditors may have full and sufficient time to consider the matters and things contained in the schedule or schedules intended to be delivered in by any debtor or debtors;* be it

Debtors to deliver schedules to the gaoler previous to the first notice,

and for neglect, to be remanded to prison.

Gaoler to attest signatures to schedules, and to give copies to debtors, and also to creditors, demanding them, on penalty of 20l.

Notices to be given in the following form,

further enacted, That every such debtor, when he or she shall (according to the directions of this act) publish the first notice of an intention to take the benefit of this act, he or she shall, in such notice, declare that the schedule containing his or her intended discovery of his or her real and personal estate (to be sworn to in manner as by this act is directed) is lodged in the hands of the keeper or gaoler, or the deputy of such keeper or gaoler, of the prison wherin any such debtor shall be confined, and every such debtor is hereby directed and required to deliver such schedule to such keeper or gaoler, or deputy, as the case may be, before he shall publish such first notice as aforesaid, signed with his or her own christian and surname, to be attested by any such keeper, gaoler, or deputy; and in case any debtor shall neglect or refuse to deliver one such schedule to such keeper, gaoler, or deputy, prior to such his first notice to be given as aforesaid, he or she, upon due proof made of such neglect, to the satisfaction of the court to which such debtor shall make application, shall be remanded back to prison, there to remain until he or she shall have complied with the directions aforesaid; and every such keeper, gaoler, or deputy, is hereby directed and required to attest the signature of the debtor's name to such schedule, and to receive the same into his custody and charge, giving a duplicate thereof to every such debtor, with an acknowledgement of his having received the original; and he is hereby further required to deliver a true copy of any such schedule, signed by himself, upon request made to him by any creditor for that purpose, in writing, such copy to be delivered to the creditor himself, or to such person as he shall appoint to receive the same, within three days after demand made; and if any such keeper, gaoler, or deputy, shall neglect or refuse to conform to the directions hereby given him respecting such schedule, every such keeper, gaoler, or deputy, so offending, shall pay the sum of twenty pounds to any person who shall sue for and recover the same, in any of his Majesty's courts of record at Westminster, by action of debt.

IX. And be it further enacted, That the notices to be given by every debtor, in manner directed by this act, shall be to the effect following; that is to say,

'I [insert the name, trade, occupation, and description, and the two last places of abode, if so many] now confined in [insert the name of the prison and county],'

county], and not being charged in custody, on the first day of January one thousand seven hundred and ninety-seven, with any debt or debts, sum or sums of money, exceeding in the whole the sum of one thousand two hundred pounds, do hereby give this [first, second, or third] publick notice, that I intend to take the benefit of an act, passed in the thirty-seventh year of his present Majesty's reign, intituled, [here set forth the title of this act, and if it be the first notice, then add], and I do hereby give notice, that a true and perfect schedule, containing a discovery of all my real and personal estate, hereafter to be sworn to, is now ready to be delivered to any creditor applying for the same to the keeper or gaoler, or his deputy, of the said prison.'

And every such notice shall be signed by the debtor, and countersigned by the keeper or gaoler, or deputy of such keeper or gaoler, of such prison.

X. And be it further enacted, That every such debtor as aforesaid, not being charged as aforesaid, on the said first day of January one thousand seven hundred and ninety-seven, with any debt or debts, sum or sums of money, in the whole to a greater amount than the sum of one thousand two hundred pounds, who shall apply to the general or quarter session, or any adjournment thereof, shall, in case it shall be proved upon oath, or by producing the said three *Gazettes* and newspapers before mentioned, to the said justices at any such session, or the adjournment thereof, that such notices were inserted in the *London Gazette*, and other newspapers where required in manner aforesaid, and that the person or persons so applying was or were actually a prisoner or prisoners on the first day of January one thousand seven hundred and ninety-seven, in the prison or gaol in which his, her, or their name or names is or are specified in the list delivered in at such first or second session, or any adjournment thereof, or in some other prison or gaol, as aforesaid, in pursuance of this act, shall, in open court, at the said general quarter session, or general session, or any adjournment thereof, subscribe and deliver in a true schedule or account of all his or her real estate, in possession, reversion, remainder, or expectancy, and also the whole of his or her personal estate, which he or she, or any person or persons in trust for him or her, or for his or her use, benefit, or advantage, is or are seised of, interested in, or entitled to, or was or were in his or her possession at any time since his or her commitment to prison, with the names of his or her several debtors, and where they respectively live, or may be met with; and the several sums of money from them respectively owing, and how the same respectively became due, and are secured, and if by mortgage, specialty, contract, note, or other writing, then the name and names, and places of abode, of the several witnesses who can prove such debts or contracts, (if there be any such), and shall also make oath and swear to the effect following; (that is to say),

Anno regni tricesimo septimo GEORGII III. c. 112. [1796.]

' I A. B. upon my corporal oath, in the presence of Almighty God, do solemnly swear, protest, and declare, That on the first day of January one thousand seven hundred and ninety-seven, I was really and truly a prisoner, in the actual custody of in the prison or gaol of at the suit of without any fraud or collusion whatsoever; and that I have, ever since my commitment, continued a prisoner within the prison of in the actual custody of the keeper or gaoler of the said prison of [or mentioning some other prison or prisons, as the case may be], or within the liberties thereof, at the suit of and without any fraud or collusion whatsoever; and that the schedule now delivered by me, and subscribed, doth contain, to the best of my knowledge, remembrance, and belief, a full, just, true, and perfect account and discovery of all the goods, effects, and estates, real and personal, in possession, reversion, remainder, or expectancy, which I, or any person in trust for me, or for my benefit or advantage, are seized or possessed of, interested in, or entitled to, or was or were in my possession at any time since my commitment to prison, and of all debts to me owing, or to any person or persons in trust for me, and of all the securities and contracts whereby any money now is, or will or may hereafter become payable, or any benefit or advantage may accrue to me, or to my use, or to any person or persons in trust for me, and the names and places of abode of the several persons from whom such debts are due and owing, and of the witnesses that can prove such debts or contracts [if any such there be], and that neither I, nor any other person or persons in trust for me, or my use, have any lands, money, stock, or any estate, real or personal, in possession, reversion, remainder, or expectancy, other than what are in the said schedule contained, except wearing apparel and bedding for myself and family, working tools, and necessary implements for my occupation and calling, together with a sum of money not exceeding five pounds, and these in the whole not exceeding the value of thirty pounds; and that I have not, nor any person for me hath, directly or indirectly, sold, lessened, or otherwise conveyed, disposed of in trust, or concealed, all or any part of my lands, money, goods, chattels, stock, debts, securities, contracts, or estates, real or personal, whereby to secure the same, or to receive or expect any profit or advantage therefrom, or with an intent to defraud or deceive any creditor or creditors to whom I am or was indebted in anywise howsoever.

So help me GOD.'

Schedule and
oath to be sub-
scribed by the
debtor, and to
remain with
the clerk of
the peace for
perusal of
'itors.

And the said schedule and oath shall be, by every such debtor, subscribed in the presence of the justices in open session of the peace, as hereby directed, and shall be kept by, and remain with the clerk of the peace, town clerk, or other officer acting as clerk of the peace, for the county, city, liberty, division, town, or place, where the same shall be subscribed and taken, for the better information of all the creditors of such debtor who shall desire or may

may have occasion to resort thereto, and every such creditor shall be at liberty, at seasonable times in the day time, to peruse and examine the same.

XI. And be it further enacted, That the justices of the peace Court, at the within their respective jurisdictions, at any such general quarter session or general session, or adjournment thereof, at the request of any creditor or creditors of any such debtor, are hereby authorised to cause the deputy warden and marshal of the Fleet and king's bench prison, or any other under officer, tipstaff, and turnkey of any prison or gaol, and any other person, within their respective jurisdictions, to come before them, and to examine them respectively on oath touching any of the matters contained in any of the oaths prescribed by this act to be taken, and the truth thereof; and if the oath which shall have been taken in open court by any debtor or debtors shall not be disproved by good testimony of any credible person or persons on oath, and such justices, or the major part of them present at any such general quarter session or general session, or any adjournment thereof, shall be satisfied with the truth of the oath taken by such respective debtor, then such justices shall, in such session, or some adjournment thereof, adjudge such debtor or debtors to be entitled to the benefit of this act; and shall order the said sheriff or sheriffs, keeper or keepers, gaoler or gaolers, of such prison or prisons, forthwith to set at liberty such prisoner or prisoners, without having or taking any fee or reward, other than one shilling for the trouble of his attendance with every such prisoner at the said sessions for his said discharge; and every such order shall be a sufficient discharge to the sheriff or sheriffs, keeper or keepers, gaoler or gaolers, of such prison or prisons, and shall indemnify him or them against any escape or escapes, action or actions whatsoever for escape, which shall or may be brought, commenced, or prosecuted, against him or them.

XII. And be it further enacted by the authority aforesaid, That all the estate, right, title, interest, and trust, of such debtor of, in, and unto, all the real estate, as well freehold and copyhold or customary, and to all the personal estate, debts, and effects, of every such debtor, shall, immediately after such adjudication, be, and the same is hereby vested in the clerk of the peace, town clerk, or other officer acting as clerk of the peace, of and for the county, riding, city, town corporate, division, liberty, or place, where any debtor shall be respectively discharged; and every such clerk of the peace, town clerk, or other officer acting as clerk of the peace, is hereby directed and required to make an assignment and conveyance of every such debtor's estate and effects, vested in such clerk of the peace, town clerk, or other officer acting as clerk of the peace as aforesaid, to such creditor or creditors of the said debtor as the justices, at any general or quarter session of the peace, or at any adjournment thereof, which shall be held by them within their respective jurisdictions, shall order and direct, which assignment and conveyance shall be good and effectual in the

the law, to all intents and purposes whatsoever, without being wrote on parchment or paper stamped, to vest the estates thereby assigned and conveyed in the party or parties to whom the same shall be so assigned and conveyed, his, her, and their heirs, executors, administrators, and assigns, according to the estate and interest the debtor had therein: and every such assignment and conveyance shall be in trust for the benefit of the creditor or creditors of every such debtor to whom the same shall be made, and the rest of the creditors of every such debtor, in respect of or in proportion to their respective debts; and every person or persons to whom any such assignment and conveyance as aforesaid shall be made, is and are hereby fully empowered to sue, from time to time, as there may be occasion, in his, her, or their own name or names, for the recovery and attaining any estate or effects of any such debtor, and also to execute any trust or power vested in, or created for the use or benefit of any such debtor, but in trust for the benefit of him or themselves, and the rest of the creditors of every such debtor, and to give such discharge and discharges to any person or persons who shall respectively be indebted to such debtor as may be requisite; and every such assignee or assignees shall, with all convenient speed after his or their accepting such assignment or conveyance, use his and their best endeavours to receive and get in the estate and effects of every such debtor, and shall, with all convenient speed, make sale of all the estates of such debtor vested in such assignee or assignees; and if such debtor shall be interested in or entitled to any real estate, either in possession, reversion, or expectancy, the same within the space of two months after such assignment and conveyance, shall be sold by publick auction, in such manner, and at such place, as the major part of the creditors of any such debtor, who shall assemble together on any notice in writing, published in the *London Gazette*, or in some daily paper, if the debtor before his going to prison resided in *London* or in the weekly bills of mortality, and if elsewhere, then in some newspaper which shall be published in or near the county, riding, division, city, town, liberty, or place, in which such debtor dwelled before he or she was committed to prison, thirty days before any such sale shall be made, shall, under his hands, or their hands, agree on; and every such assignee or assignees, at the end of three months at farthest from the time of his or their accepting any such assignment or conveyance as aforesaid, shall make a fair and just dividend of all such debtor's estate and effects, which shall have been then recovered, amongst his or her creditors, in proportion and in regard to each creditor's respective debt; but before any such dividend shall be made, such assignee or assignees shall make up an account of such debtor's estate, and make oath in writing, before one or more justice or justices of the peace of the county, riding, or division, town, liberty, or place, in which any such debtor shall have been discharged, that every such account contains a fair and just account of the estate and effects of every such debtor got in by or for such assignee or assignees, and of all payments made in respect thereof, and that

Assignees to
get in effects,
and sell them,
&c.

shall, with all convenient speed, make sale of all the estates of such debtor vested in such assignee or assignees; and if such debtor shall be interested in or entitled to any real estate, either in possession, reversion, or expectancy, the same within the space of two months after such assignment and conveyance, shall be sold by publick auction, in such manner, and at such place, as the major part of the creditors of any such debtor, who shall assemble together on any notice in writing, published in the *London Gazette*, or in some daily paper, if the debtor before his going to prison resided in *London* or in the weekly bills of mortality, and if elsewhere, then in some newspaper which shall be published in or near the county, riding, division, city, town, liberty, or place, in which such debtor dwelled before he or she was committed to prison, thirty days before any such sale shall be made, shall, under his hands, or their hands, agree on; and every such assignee or assignees, at the end of three months at farthest from the time of his or their accepting any such assignment or conveyance as aforesaid, shall make a fair and just dividend of all such debtor's estate and effects, which shall have been then recovered, amongst his or her creditors, in proportion and in regard to each creditor's respective debt; but before any such dividend shall be made, such assignee or assignees shall make up an account of such debtor's estate, and make oath in writing, before one or more justice or justices of the peace of the county, riding, or division, town, liberty, or place, in which any such debtor shall have been discharged, that every such account contains a fair and just account of the estate and effects of every such debtor got in by or for such assignee or assignees, and of all payments made in respect thereof, and that

Assignees to
make dividend
within three
months, first
verifying their
accounts on
oath.

shall, with all convenient speed, make sale of all the estates of such debtor vested in such assignee or assignees; and if such debtor shall be interested in or entitled to any real estate, either in possession, reversion, or expectancy, the same within the space of two months after such assignment and conveyance, shall be sold by publick auction, in such manner, and at such place, as the major part of the creditors of any such debtor, who shall assemble together on any notice in writing, published in the *London Gazette*, or in some daily paper, if the debtor before his going to prison resided in *London* or in the weekly bills of mortality, and if elsewhere, then in some newspaper which shall be published in or near the county, riding, division, city, town, liberty, or place, in which such debtor dwelled before he or she was committed to prison, thirty days before any such sale shall be made, shall, under his hands, or their hands, agree on; and every such assignee or assignees, at the end of three months at farthest from the time of his or their accepting any such assignment or conveyance as aforesaid, shall make a fair and just dividend of all such debtor's estate and effects, which shall have been then recovered, amongst his or her creditors, in proportion and in regard to each creditor's respective debt; but before any such dividend shall be made, such assignee or assignees shall make up an account of such debtor's estate, and make oath in writing, before one or more justice or justices of the peace of the county, riding, or division, town, liberty, or place, in which any such debtor shall have been discharged, that every such account contains a fair and just account of the estate and effects of every such debtor got in by or for such assignee or assignees, and of all payments made in respect thereof, and that

all payments in every such account charged were truly and bona fide made and paid; and notice of the making of every such dividend shall be published in like manner as a meeting of the creditors is herein-before directed to be published, thirty days at least before the same shall be made; and no creditor shall be allowed to receive any share of such dividend, until he shall have made out the justness and identity of his debt by oath, or due proof, in writing, before some such justice or justices; and if any creditor of such debtor shall be dissatisfied with the reality or fairness of any debt claimed by any other creditor, then the same, at the request of any such creditor or creditors so dissatisfied, shall be examined into by the justices of the county, riding, division, city, liberty, or place, in which such debtor shall have been adjudged to have been entitled to the benefit of this act, at their next general or quarter session, or some adjournment thereof, and what they shall there determine in the premises shall be conclusive to all parties; and if, after payment of all such debtor's debts, there shall any of his estate and effects remain, after paid the payment of all reasonable charges, the same shall be paid to such debtor, his executors, or administrators.

XIII. Provided always, and be it further enacted, That all Creditors for and every creditor and creditors of any debtor who shall be discharged by virtue of this act, for any sum or sums of money payable by way of annuity, or otherwise, at any future time or future times, by virtue of any bond, covenants, or other securities of any nature whatever, may be and shall be entitled to receive dividends as admitted a creditor or creditors, and may and shall be entitled to receive a dividend or dividends of the estate of such debtor, in such manner, and upon such terms and conditions, as such creditor or creditors would have been entitled unto by the laws now in force if such debtor had become bankrupt, and without prejudice in future to their respective securities, otherwise than as the same would have been affected by a proof made in respect thereof by the creditor under a commission of bankrupt, and a certificate obtained by the bankrupt under such commission.

XIV. And for obviating any doubts which may otherwise arise how far the several powers and authorities, by this act vested in or given to clerks of the peace, may be lawfully done, exercised, or performed, by the deputy or deputies of the clerk of the peace for the county palatine of Lancaster, (the said office of clerk of the peace for the said county of Lancaster being held by letters patent from his Majesty, with the power of executing the same by deputy or deputies); be it further enacted and declared, That all conveyances and assignments of the estate and effects of any debtor or debtors, and all other acts, deeds, matters, and things, which shall be done, exercised, or performed in the execution of this act, by any deputy or deputies of the clerk of the peace for the said county palatine of Lancaster, extend to his or by the person or persons who, for the time being, shall exercise and perform the trusts and duties of the said office within and for the said county palatine shall be of the same force, validity, and effect, in the law, to all intents and purposes, as if the

the same had been done, executed, and performed, by the clerk of the peace for the said county palatine of Lancaster for the time being.

XV. And, to the intent that no loss may arise to any creditor or creditors from any neglect or omission in the schedule not containing the whole of the estate, real or personal, belonging to any debtor who shall apply for his or her discharge under the authority of this act; be it enacted, That all the estate, whether real or personal, which shall belong to any debtor or debtors, and of which he, she, or they, shall be actually possessed or entitled unto at the time of making such schedule, shall be deemed and taken to be part of the estate contained in such schedule, though not inserted therein, and shall in like manner become vested in the clerk of the peace, town clerk, or other officer acting as such, to all intents and purposes, as if the same had been contained in such schedule, and had been delivered into the court according to the directions of this act.

Estates of debtors, not inserted in schedules, to be vested in the clerk of the peace.

Holders of securities, without consideration given, not entitled to any benefit.

Estates to vest in the clerk of the peace for the time being.

No suit in equity to be commenced without consent of the majority in value of creditors.

Schedules to be produced by clerks of the peace to creditors,

XVI. Provided always, and be it enacted, That no person holding any security whatsoever, for which such debtor never received any valuable consideration, shall be entitled to receive any benefit from the estate of such debtor, unless the person holding such security shall make it appear, to the satisfaction of the justices at some general or quarter session, or adjournment thereof, that he or she became possessed of the same *bona fide* and for good or valuable consideration.

XVII. Provided always, and be it enacted, That in case of the death or removal of any clerk of the peace, town clerk, or other officer acting as clerk of the peace as aforesaid, in whom the estate right, title, interest, or trust, of any debtor or debtors shall have vested by the authority of this act, every such estate, right, title, interest, and trust, shall become vested in the successor or successors to every such clerk of the peace, town clerk, or other officer acting as clerk of the peace as aforesaid respectively, as the case may be, to all intents and purposes whatsoever, under the provisions of this act.

XVIII. Provided further, and be it also enacted, That no suit in equity shall be commenced by any assignee or assignees of any such debtor's estate and effects, without the consent of the major part in value of the creditors of such debtor, who shall meet together pursuant to a notice to be given, at least ten days before such meeting in the *London Gazette*, or other newspaper which shall be published in the neighbourhood of the last residence of such debtor or debtors, for that purpose.

XIX. And be it further enacted by the authority aforesaid, That the clerk of the peace, town clerk, or other officer acting as clerk of the peace, for every respective county, city, and county town, and county riding, division, cinque port, liberty, and place, with whom any schedule of the estates of any insolvent debtor or debtors shall be left, and his successors, clerks of the peace, town clerk, or other officer acting as clerk of the peace as aforesaid, shall, on the reasonable request of any creditor or creditors of

of such insolvent debtor or debtors, or his or their attorney, produce and shew to such creditor or creditors, or his or their attorney, in the day time, the schedule of the estate of any such insolvent debtor or debtors, which shall be left with any such clerk of the peace, town clerk, or other officer acting as clerk of the peace, or his predecessor in that officer, the person so requiring to see and peruse any such schedule paying or tendering to the clerk of the peace, town clerk, or other officer acting as clerk of the peace, in whose custody any such schedule shall be, or his deputy, the sum of one shilling for his trouble in searching for and looking out such schedule, and attending whilst the same shall be perused by the party requiring to have the same looked out, and to peruse the same; and that a true copy of every such schedule, signed by the clerk of the peace, town clerk, or other officer acting as clerk of the peace, in whose custody the same shall be, or his deputy, purporting the same to be a true copy of such schedule, without being wrote on stamped paper, and for which copy no more shall be paid than sixpence by the sheet, each sheet containing seventy-two words, and so in proportion for a less number of words, shall, at all times, be admitted in all courts whatsoever as legal evidence of the same; and if any clerk of the peace, or his deputy, town clerk, or other officer acting as clerk of the peace, shall, on reasonable request as aforesaid, neglect or refuse to produce to any such creditor or creditors as aforesaid, or his or their attorney, any such schedule as aforesaid, and to permit the same to be inspected as aforesaid in the day time, on such payment or tender as aforesaid being made to him, or shall ask or take more than after the rate of sixpence by the sheet, each sheet to contain seventy-two words, and so in proportion for less than seventy-two words in a sheet, or shall refuse to make and deliver a copy of any such schedule on being requested as aforesaid so to make the same, and having the money tendered to him for payment of such copy after the rate aforesaid, shall, for every such offence, forfeit and pay the sum of ten pounds, which shall and may be sued for and recovered in any of his Majesty's courts of record at Westminster, by action of debt, together with treble costs of suit, in the name of any person, who shall prosecute for the same, and one moiety of which sum forfeited shall, when recovered, Application go to the party who prosecuted for the same, and the other moiety of the penalty, thereof to the poor of the parish in which the offence shall be committed.

XX. Provided always, and be it enacted, That before such time as any assignee or assignees as aforesaid shall enter on, or take any profit from, any copyhold or customary estate as aforesaid, he or they shall agree and compound with the lord or lords of the manor or manors of whom the same shall be holden, for the payment of such fine or income as, upon any surrender and admission thereto, hath heretofore been most usually accustomed to be paid; and that upon every such agreement or composition made, the said lord or lords, for the time being, at the next court, or some subsequent court, which shall be holden for the said

and signed
copies to be
evidence.

Clerk of the
peace refusing
to produce
schedules, &c.
to forfeit 10l.
with treble
costs.

Application
of the penalty.

Assignees to
compound
with lords of
manors for
copyhold or
customary
estates.

manor or manors, shall admit such assignee or assignees, tenant or tenants of such copyhold or customary estate, according to the custom of the said manor or manors of which the same shall be holden, and for and during such estate and interest as the said debtor had therein at the time of his or her being discharged as aforesaid, reserving the rents, duties, heriots, customs, and services, payable and to be rendered in respect of the said copyhold or customary estate.

The debtor's right only to be affected by this act.

XXI. Provided also, That nothing herein contained shall extend to prejudice or affect any estate or interest, or right whatsoever, of any person or persons, other than the said debtor, which may be expectant upon or subject unto the estate or interest of the said debtor, hereby vested in the said clerk of the peace, town clerk, or other officer acting as clerk of the peace; but that the estate, interest, and right whatsoever of every other person or persons, shall remain, continue, and be saved, to them, in the same manner as if this act had not been made.

Mortgages, &c. to take place of claims of an inferior nature.

XXII. Provided also, and be it enacted by the authority aforesaid, That nothing in this act shall extend, or be construed to hinder or prevent any mortgage or mortgages, charges or liens, upon the estate of such debtor or debtors, or any part thereof, to take place upon the lands, tenements, or hereditaments, comprised in, or charged or affected by, such mortgage or mortgages, charges or liens respectively, nor to prevent any statute staple, statute merchant, recognizance, or judgement, acknowledged by or obtained against any such debtor or debtors to take place upon the lands, tenements, or real estate of such debtor or debtors; and also where any inquisition shall have been taken upon any such statute or recognizance, or any writ or execution shall have been taken out and delivered to the sheriff or proper officer upon any such judgement, before such discharge shall be given in open session to any such debtor as aforesaid, the personal estate of every such debtor respectively shall be subject thereto, in the first place, for so much as shall remain due upon such mortgage, charge, lien, statute, recognizance, or judgement respectively, in like manner as such mortgagees and persons having such charges or liens, and creditors by statute recognizance, or judgement, would have been preferred to other creditors of an inferior nature, against the real or personal estate of such debtor and debtors respectively, if this act had not been made; any thing herein-before contained to the contrary thereof in anywise notwithstanding.

XXIII. And whereas many persons who may be entitled to and claim the benefit of this act are seized and possessed of lands, tenements, and hereditaments, to hold to such debtors for the term of their natural lives, with power of granting leases, and taking fines, reserving small rents on such estates for one, two, or three lives, in possession or reversion, or for some number of years determinable upon lives; which said powers ought to be executed for the benefit of the creditors of such debtors: be it therefore enacted by the authority aforesaid,

That

That in every such case, all and every the powers of leasing Power of
such lands, tenements, and hereditaments, which are or shall be leaving lands
vested in any such prisoner or prisoners as aforesaid, shall be, and vested in
are hereby vested in the assignee or assignees of the real and per- assignees.
sonal estate of such prisoner, by virtue of this act, to be by such
assignee or assignees executed for the benefit of all and every the
creditors of such prisoners as aforesaid.

XXIV. And whereas, in some prisons or gaols in this kingdom, the office of keeper or gaoler is held in fee for life, or otherwise, by persons who never act as keepers or gaolers themselves, or know any thing of the prisoners therein, but depute or employ some person or persons under them as keepers or gaolers of such prisons or gaols; be it therefore enacted, That in every such case, the person who shall have been actually employed and acted as deputy keeper or gaoler of any such prison or gaol at the time of the delivering in of the lists hereby directed to be delivered in, of prisoners in any such prison or gaol, at any general or quarter sessions of the peace, or some adjournment thereof, and not the principal keeper or gaoler, (unless where such principal keeper or gaoler shall act as keeper or gaoler himself), shall take the oath herein-before appointed to be taken by the keeper or gaoler of every such prison or gaol.

XXV. And be it enacted by the authority aforesaid, That the justices at any general or quarter session of the peace, or adjournment thereof, to which any prisoner shall be brought in pursuance of this act, shall, if required by any creditor or creditors of any such prisoner or prisoners, who shall oppose his or her discharge, administer and give to the keeper or gaoler, or the person who acts as keeper or gaoler, of any such prison or gaol, at the time of bringing up any such prisoner, in order to be discharged under this act, an oath to the following effect; (that is to say),

‘**I** A. B. do swear, That was really and Oath.
I truly a prisoner in my custody, in the prison of [or, in custody in some other prison, as the case may be] to the best of my knowledge and belief, at or upon the first day of January one thousand seven hundred and ninety-seven; and that the copy or copies of the cause or causes of his [or her] commitment or detainer, now by me brought with the body of the said and produced to the said court, is or are a true copy or copies of the cause or causes of such commitment or detainer, without any fraud or deceit by me, or any other person whatsoever, to the best of my knowledge and belief.

So help me GOD.’

And if any person who was keeper or gaoler, or deputed keeper or gaoler, of any such prison or gaol, on the said first day of January one thousand seven hundred and ninety-seven, or since, shall not happen to be the keeper or gaoler, or deputed keeper or gaoler, of any such prison or gaol, at the time of any such list as he shall take afore-
If the person delivering in list was not
on Jan. 1. 1797, the following

aforsaid is hereby required to be delivered in, then the justices, at any such session, or at any adjournment thereof, may and are hereby required to administer and give to the respective person or persons who shall be keeper or gaoler, or deputed keeper or gaoler, of any such prison or gaol, and deliver in any such list as aforesaid at any such general or quarter session, or any adjournment thereof, an oath, touching the commitments, or books of commitment, of any such prison or gaol, to the effect following; (that is to say),

qath.

* I A. B. do swear, That I have examined the commitments, or books kept of or concerning the commitment of prisoners to the prison of [redacted] in the [county, riding, division, city, town, place, or liberty of [redacted] as the case shall be], and that I do verily believe that the said commitments, or books of commitment, are really true, and not fictitious, nor calculated for this purpose; and by them it doth appear that was, on the first day of January one thousand seven hundred and ninety-seven, really and truly a prisoner in the actual custody of [redacted] the then keeper or gaoler, or deputy keeper or gaoler, of the said prison or gaol, [or other prison, as the case may be], without fraud or deceit by me, or any other person or persons, to my knowledge and belief.

So help me GOD.'

XXVI. And, in order to discover any fraudulent entries or commitments of prisoners in any prison or gaol books; be it further enacted by the authority aforesaid, That the justices, at any general or quarter session of the peace, or any adjournment thereof, are hereby authorised, at the request of any creditor or creditors of any prisoner, to convene before them, at some certain time to be appointed by them, any person or persons who was or were keeper or gaoler, or deputed keeper or gaoler, of any prison or gaol within their respective jurisdictions, on the

**At request of
creditors,
gaolers may
be examined
on oath at the
sessions touch-
ing commit-
ments.**

**Penalty on
sheriffs, &c.
disobeying
orders of
justices, &c.**

as the justices, at any such general or quarter session, or adjournment thereof, shall think fit; and if any sheriff, keeper or gaoler, or deputed keeper or gaoler, shall neglect or refuse to bring before any such justices, at any session of the peace, or adjournment thereof, any such prisoner as shall be directed and required by warrant of any justice or justices as aforesaid, or to attend on being summoned for that purpose, he shall on conviction suffer six months imprisonment, or if any keeper or gaoler attending, shall refuse to make answer and discovery in the premises, as shall be reasonably required at such general or quarter session, or any adjournment thereof, he, she, or they, so offending in the premises, shall, for every such offence, forfeit and pay the sum of one hundred pounds, to be recovered by and in the name, and for

for the use of the party injured, by action of debt, to be brought in his or her name, in any of his Majesty's courts of record at *Westminster*, together with treble costs of suit.

XXVII. And be it further enacted by the authority aforesaid, That if any keeper or gaoler of any prison, or his deputy or deputies, shall, without just cause, to be approved of by the *Gazette*, justices at some general quarter session, or general session of the &c. for not peace, or adjournment thereof, within their respective jurisdictions, refuse or delay to bring any such prisoner or prisoners, as aforesaid, to any such general quarter session, or general session, or adjournment thereof, in order to his or her discharge; or shall neglect, refuse, or designedly omit to insert, in any such list, the name or names of any such prisoner or prisoners who was or were actually in custody in his or their respective prison or gaol, on the said first day of *January* one thousand seven hundred and ninety-seven, or since, or shall neglect or refuse to make out, fix up, or deliver, such lists as aforesaid; or if any keeper or gaoler, or deputed keeper or gaoler, shall neglect or refuse to take any of the said oaths before mentioned, and hereby required to be taken by him, or shall, upon any account or pretence whatsoever, take or receive more than the said sum of one shilling herein-before allowed for his or her attendance in order to be discharged of such prisoner or prisoners as aforesaid, or shall detain any such prisoner after he or she shall be discharged as aforesaid; or if the printer of *The London Gazette*, or other newspaper as aforesaid, shall wilfully refuse or neglect to insert therein the notice by this act directed to be given, on reasonable request to him made for that purpose, and tender of the money hereby directed to be paid, or shall take or receive any fee or gratuity more than four-pence as aforesaid for doing thereof, every such keeper and gaoler of such prison or prisons, his deputy or deputies, and every such printer as aforesaid, shall respectively forfeit and pay to each prisoner, in every such case injured, the sum of one hundred pounds; which shall and may be recovered, with treble costs of suit, by action of debt, bill, plaint, or information, in any of the courts of record at *Westminster*, wherein no escoin, protection, or wager of law, or more than one imparlance shall be allowed.

XXVIII. And be it further enacted by the authority aforesaid, That if any keeper or keepers, gaoler or gaolers, or any deputy keeper, or gaoler of any prison, shall, in taking of the afore-mentioned oaths, forswear and perjure themselves, and shall thereof be lawfully convicted, such keeper or gaoler, or deputed keeper or gaoler, of such prison or prisons, (over and above the penalties to be inflicted on persons convicted of perjury), shall upon every such conviction, forfeit and pay the sum of five hundred pounds, to be recovered with full costs, by bill, plaint, or information, or action of debt, in any of his Majesty's courts of record at *Westminster*, wherein no escoin, protection, or wager of law, shall be allowed, by and in the name of such person or persons, his and their executors and administrators, to whom any

**Penalty on
clerks of the
peace refusing
to give copies
of adjudica-
tions of dis-
charges, &c.**

assignment or conveyance, in pursuance of this act, shall be made, of the estate and effects of such prisoner or prisoners, and if no such assignee or assignees shall be living, then in the name or names of any other creditor or creditors, who shall sue for the said penalties, to be applied, one moiety to the informer or informers, and the other moiety towards satisfaction of the debits of such his creditor or creditors.

XXIX. And be it further enacted, That if any clerk of the peace or his deputy, or town clerk, or other officer acting as clerk of the peace, shall delay or refuse to give every or any such prisoner, adjudged to be entitled to his discharge as aforesaid, within fourteen days after such adjudication, a copy of the order of adjudication, on the payment of two shillings and sixpence, or shall take more than the sum of two shillings and sixpence for such copy, or shall take more than one shilling for an assignment or conveyance of such prisoner's estate and effects, every such clerk of the peace, or his deputy, or town clerk, or other officer acting as clerk of the peace, who shall so offend, and who shall be convicted at any such general or quarter session of the peace, or any adjournment thereof, of any such offence, shall, for every such offence, forfeit and pay to every such prisoner, the sum of twenty pounds, as the justices of the peace, at such general or quarter session of the peace, or adjournment thereof, shall order, and who are hereby empowered to cause the same to be levied by distress and sale of the goods of any such clerk of the peace, or his deputy, or town clerk, or other officer acting as clerk of the peace so offending.

**Debtors for-
swearing, to
be deemed
guilty of
perjury.**

XXX. And be it further enacted by the authority aforesaid, That if any debtor as aforesaid, who shall take the benefit of this act, shall wilfully forswear and perjure himself, herself, or themselves, in any oath to be taken under this act, and shall be lawfully convicted thereto, he, she, or they, so offending, shall suffer such punishment as by law may be inflicted on persons convicted of wilful and corrupt perjury.

**Persons dis-
charged not
liable for
debts prior to
Jan. 1, 1797.**

XXXI. And be it further enacted by the authority aforesaid, That no person entitled to the benefit of this act shall, at any time hereafter, be imprisoned by reason of any judgement or decree obtained for payment of money only, or for any debt, bond, damages, contempts for nonpayment of money, costs, sum or sums of money contracted, incurred, occasioned, owing, or growing due, before the said first day of January one thousand seven hundred and ninety-seven, but that upon every arrest upon every judgement, or such decree, or for such debts, damages, contempts, costs, sum and sums of money, it shall and may be lawful for any judge of the court where the process issued, or for any two justices of the peace, upon shewing the copy of the order of adjudication as aforesaid, to release and discharge out of custody such prisoner or prisoners as aforesaid, and at the same time to order the plaintiff or plaintiffs in such suit or suits to pay such prisoner or prisoners the costs he, she, or they, shall have incurred on such occasion, or so much thereof as to such judge

judge or justices shall seem just and reasonable; and every such judge is hereby empowered so to do on such prisoner's causing a common appearance to be entered for him in every such action or suit.

XXXII. And whereas, under former acts of this kind, doubts have arisen what was to be done with such prisoners who applied at any session to be discharged, who owed and stood charged with debts, as well previous as subsequent to the day limited by the respective acts; to remedy which, be it therefore enacted by the authority aforesaid, That no prisoner or prisoners shall be discharged of any debts incurred subsequent to the first day of January one thousand seven hundred and ninety-seven; and if it shall appear to the justices, at any session or adjournment, that any prisoner or prisoners, then applying to them to be discharged, shall stand charged as well with debts previous to as subsequent to the said first day of January one thousand seven hundred and ninety-seven, that, in such cases, it shall and may be lawful to and for the justices to discharge the person of such prisoner on account of all debts incurred previous to the said first day of January one thousand seven hundred and ninety-seven, and to remand him or her back to the custody of the keeper of the prison from whence he or she was brought, for all debts with which he or she stands charged with in his custody, incurred subsequent to the said first day of January one thousand seven hundred and ninety-seven.

XXXIII. And be it further enacted by the authority aforesaid, That in case any person, being a prisoner, charged in execution on the said first day of January one thousand seven hundred and ninety-seven, and having before or since that day petitioned any court to be discharged as an insolvent debtor, and having conformed to the several provisions of the laws in being for that purpose, shall have been brought up, and by the court, before which such prisoner was so brought up, remanded back to the prison or gaol from which such prisoner was brought up, there to continue in execution on the undertaking of his or her plaintiff or plaintiffs to pay to him or her two shillings and four-pence weekly and every week, or such other allowance as by law is directed to be paid in such case, during such time as such prisoner should remain in execution at the suit of such plaintiff or plaintiffs, and such prisoner so continued in execution shall have been or shall be discharged from such execution by his or her plaintiff or plaintiffs, without his or her own privity or consent, subsequent to the said first day of January one thousand seven hundred and ninety-seven, and before the day whereon he or she might otherwise have applied to take the benefit of this act, every such prisoner shall be entitled, notwithstanding such discharge, to the same relief and advantage, to all intents and purposes whatsoever, which he or she might or could have otherwise obtained by virtue of this act; any thing herein contained to the contrary notwithstanding.

Prisoners not
discharged of
debts subse-
quent to Jan.
1, 1797.

Prisoners who,
on application
as insolvent
debtors, have
been remand-
ed back, and
since dis-
charged,with-
out their con-
sent, entitled
to the benefit
of this act.

A& may be pleaded to any action of escape. XXXIV. And be it further enacted by the authority aforesaid, That if any action of escape, or any suit or action, be brought against any justice or justices of the peace, sheriff, keeper, or gaoler of any prison, for performing their office, in pursuance of this act, they may plead the general issue, and give this act in evidence; and if the plaintiff be nonsuited, or discontinue his action, or verdict pass against him, or judgement upon demurrer, the defendant shall have treble costs.

Act may be pleaded generally by prisoners, &c. XXXV. And be it further enacted by the authority aforesaid, That if any *Scire Fasias*, or action of debt or upon judgement, shall be brought against any prisoner, his or her heirs, executors, or administrators, upon any judgement obtained against any such prisoner, or on any statute or recognizance acknowledged by him or her, before the said first day of *January* one thousand seven hundred and ninety-seven, with respect to prisoners in actual custody upon the said first day of *January* one thousand seven hundred and ninety-seven, it shall and may be lawful for any such prisoner, his or her heirs, executors, or administrators, to plead generally that such prisoner was actually a prisoner in such prison, or in some other prison, at such a person's suit on the said first day of *January* one thousand seven hundred and ninety-seven, and was or were duly discharged, according to this act, at the general quarter session, or general session, or adjournment thereof, held at such time and place for such county, riding, division, liberty, city, town, or place, (as his, her, or their case is), without pleading any matter specially; and in case any other suit or action shall be commenced against him, her, or them, for any other debt, sum or sums of money, due before the said first day of *January* one thousand seven hundred and ninety-seven, to plead in discharge of his or her person from execution, (over and above such matters as aforesaid,) that such debt or sum of money (as the case shall happen) was contracted or due before the said first day of *January* one thousand seven hundred and ninety-seven, without pleading any other matter specially; whereto the plaintiff shall or may reply generally, and deny the matters pleaded as aforesaid, or reply any other matter or thing which may shew the said defendant not to be entitled to the benefit of this act, or not duly discharged according to it, in the same manner as the plaintiff might have replied in case the defendant had pleaded this act, and his discharge, by virtue of this act, specially; and if the plaintiff be nonsuited, discontinue his action, or verdict pass against him, or judgement on demurrer, the defendant to have treble costs.

Act not to extend to attorneys, or servants embezzling money;

XXXVI. Provided always, That nothing in this act contained shall extend, or be construed to extend, to release or discharge any attorney at law, or solicitor, or any other person or persons acting, or pretending to act as such, with regard to any debt with which he or they shall stand charged for any money, or other effects, recovered and received by him or them, for the use of any person or persons, bodies corporate or politic, and by any attorney, solicitor, or other person or persons acting as such,

such, embezzled, concealed, or converted to his or their own use; or to release or discharge any servant or agent, or any other person or persons employed or intrusted as such, with regard to any debt or demand with which he, she, or they shall stand charged for or on account of any money, goods, or other effects, received or possessed by him, her, or them, for the use and on account of his, her, or their master or masters, or employers, and by such servant or agent embezzled, concealed, or converted, to his, her, or their own use; any thing herein contained to the contrary thereof in anywise notwithstanding.

XXXVII. *And whereas many evil-disposed persons, to support their profligate way of life, have, by various subtle stratagems, threats, and devices, fraudulently obtained divers sums of money, goods, wares, merchandizes, bonds, bills of exchange, promissory notes, or other securities for money, to the great injury of industrious families, and to the manifest prejudice of trade and credit;* be it enacted, That no prisoner, who knowingly and designedly, by false pretence or pretences, shall have obtained from any person or persons money, goods, wares, merchandizes, bonds, bills of exchange, promissory notes, or other securities for money, shall have or receive any benefit or discharge by or under this act; but the justices at any general or quarter session of the peace, or any adjournment thereof, before whom any such prisoner shall be brought, upon due proof of the matter, made to their satisfaction, shall remand such prisoner to the custody of the gaoler or keeper of the prison from whence he or she shall have been brought; any thing herein contained to the contrary notwithstanding.

XXXVIII. *And whereas many debtors, for rents of lands, messuages, houses, or other premises, have, with fraudulent intent to disappoint the right of their respective landlords, removed the stock, cattle, furniture, goods, or other effects, which were subject and liable to be distrained for the satisfaction of the said rents;* be it enacted by the authority aforesaid, That no prisoner or prisoners, who, in a secret, clandestine, or fraudulent manner, shall have removed, or caused to be removed, within six years before the passing of this act, any such stock, cattle, furniture, goods, or effects, of value of fifty pounds or upwards, which were subject or liable to be distrained by their respective landlords for or in payment of such rent or rents, whereby such landlord or landlords shall have lost all or some part of the rent or rents due to him, her, or them, as aforesaid, shall be discharged by or under this act, but shall, on due proof of the matter as aforesaid, be remanded in manner herein-before mentioned; any thing herein-before contained to the contrary notwithstanding.

XXXIX. *And whereas many debtors have, with a view to defraud their creditors, sold, transferred, conveyed, or assigned, their estate and effects to some person or persons, subsequent to their being in custody of law, or imprisoned under some process for debt: and whereas such sale, transfer, conveyance, or assignment, hath been fraudulently made, to the infinite prejudice of the fair and honest creditor, though sufficient proof could not be obtained to convict the party of a fraudulent design:*

nor to persons be it enacted, That whenever it shall be proved, by one or more credible witness or witnesses, to the satisfaction of the court to which any prisoner shall be brought up in order to obtain his or her discharge, that such prisoner has sold, transferred, conveyed, or assigned, to any person or persons, all or any part of his estate or effects, subsequent to the time of his imprisonment, without just cause for so doing, to be allowed by the justices presiding in such court as aforesaid, every such debtor shall lose all the benefits and advantages that he might otherwise have claimed under the authority of this act, and shall not be entitled to his or her discharge; and every such sale, transfer, conveyance, or assignment, is hereby declared to be null and void.

Gaolers to permit prisoners to be spoken with, &c. on penalty of 40l.

XL. And be it further enacted by the authority aforesaid, That every gaoler or keeper of any prison shall, and is hereby required to suffer, in the day-time, any person or persons desiring the same, to see and speak, in the lodge, or some convenient room in the said prison, with any prisoner or prisoners, whose names are inserted in the before-mentioned list or lists, or the *London Gazette*, or other newspapers, or any of them, and also to see, in the true and genuine books of the said prison, the entries made of the name or names of such prisoner or prisoners, debtor or debtors, together with the name or names of the person or persons at whose suit or suits he, she, or they, are or were detained; and if any such gaoler or keeper shall refuse or neglect to comply with what is hereby above required, every such gaoler or keeper who shall so offend in the premises shall forfeit and pay to the person so refused and aggrieved the sum of forty pounds, to be recovered, with costs of suit, by action of debt, bill, plaint, or information, in any of the courts at *Westminster*, wherein no escheat, protection, wager of law, or more than one impaniment, shall be allowed, by and in the name or names of the person or persons so refused and aggrieved.

Gaolers making false entries, &c. to forfeit 500l.

XLI. And be it further enacted, That if any gaoler or keeper, or deputed gaoler or keeper, of any prison or prisons, shall make or cause to be made any false entries, in any book or books belonging to any prison or gaol under his care, or of which he is or was gaoler, or shall prepare or keep, or cause to be prepared or kept, any false book or books, in order for any false or untrue entry or entries to be made therein, or shall insert in any list to be delivered in as aforesaid, the name or names of any person or persons who was not in actual custody as aforesaid, (except as in the oath of every such gaoler or keeper, or deputed gaoler or keeper, shall be excepted), every such gaoler or keeper, or deputed gaoler or keeper, shall, over and above the penalties which he shall be liable to for every such fraud, forfeit and pay the sum of five hundred pounds, to be recovered, with treble costs of suit, by and in the name and for the use of any person or persons, who shall be prejudiced by any such false entry or entries; whereupon the penalties shall and may be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*,

minster, wherein no esoin, protection, or wager of law, or more than one imparlance, shall be allowed.

XLII. And be it further enacted, That if any debtor, being Debtors re-thereunto required by any creditor, shall refuse to discover and fusing to dis-
declare the trade or occupation, and habitation or last place of trade and
abode, of the person or persons at whose suit he or she is or was abode of the
detained or charged in custody, or if any prisoner being called person at
for and desired by any creditor or creditors to come to the lodge whose suit
of the prison in which any such prisoner shall be confined, without to be excluded
some reasonable cause being made appear to the contrary, every the benefit of
such debtor, upon proof being made thereof before the justices at this act,
any general or quarter session of the peace, or any adjournment
thereof, to be held as aforesaid, shall not have or receive any be-
nefit or discharge by or under this act; anything herein contained
to the contrary thereof in anywise notwithstanding.

XLIII. And whereas there is but one common or county gaol for
each of the respective counties of York or Lincoln, which said counties
are each of them divided into several ridings or divisions, all of which
have several commissions of the peace; and if the gaoler of these gaols
be obliged to carry the debtors, prisoners therein, to the quarter session
of such riding or division, the same will be a very great charge, not
only to such gaoler, but also to the prisoners, in these large counties;
be it therefore enacted by the authority aforesaid, That it shall Justices may
and may be lawful for two or more justices of the peace for any of hold a session
the ridings or divisions in the respective counties, (or any other at or near the
county or counties where the prisons are at a distance from the place
where the sessions are held), at the common or county gaol thereof
respectively, or at some convenient place near thereto, and they are
hereby required to assemble and meet, and to hold session there,
by adjournment from their respective quarter session from time to
time, for the discharge of the respective prisoners therein, accord-
ing to the powers, limitations, and directions of this act.

XLIV. And whereas the district or division of Holland, in the
said county of Lincoln, is distant near forty miles from the said
county gaol, and it is highly inconvenient and expensive for the justices
of the peace acting for the said division to be obliged to travel to the
said gaol for the sole purpose of discharging the prisoners under the
powers by this act given; be it therefore enacted, That for the Justices for the
several purposes aforesaid, the justices for the said division or district of
district of Holland may adjourn their original sessions to the adjourn to or
county gaol, or some place near thereunto; and it shall and may near the
be lawful for any two justices of the peace, acting either for the county gaol,
parts of Lindsey, Kesteven, or Holland, to hold such adjourned &c.
sessions for the sole purpose of discharging such prisoners; notice
of the adjournment of such original sessions being given by the
clerk of sessions to such justices, and who shall attend there to
register the proceedings of the said court, so far as the same
relate to or affect the discharge of any prisoner detained for debt
in the division of Holland, and claiming the benefit of this act.

XLV. And whereas the next general quarter sessions of the peace
for the county of Surrey, which shall happen after the passing of this
act, may be in the country, and upwards of twenty miles from any of
the

Justices for
Surrey may
adjourn to
Southwark.

Prisoners in
custody for
fees, &c. to
be discharged.

Act not to ex-
tend to debt-
ors to the
crown, or to
the revenue,
unless the
treasury cer-
tify their con-
tent.

Determi-
nation of ju-
stices to be
final, unless
the prisoner
get rid of the
objection to
his discharge,
&c.

the said prisons; be it therefore enacted by the authority aforesaid,
That it shall and may be lawful for such justices as shall be assembled at the general quarter session of the peace to be holden for the county of *Surrey*, next after the passing of this act, and they are hereby required forthwith to adjourn the said sessions to the borough of *Southwark*, for the purpose of administering the oaths required to be taken and subscribed by this act, by the several gaolers within the said county, and for the discharge of prisoners or other debtors, according to the powers, limitations, and directions of this act.

XLVI. And be it further enacted by the authority aforesaid, That all debtors and others, who were in prison on or before the said first day of *January* one thousand seven hundred and ninety-seven, in any of the gaols of this kingdom, and now remain there for not paying their fees, rents, or other demands, due or claimed as due, to the keeper or keepers of any prison respectively, or to any other officer of such prison, and upon no other account, shall be discharged therefrom, he, she, or they taking the oath by this act required to be taken by prisoners.

XLVII. Provided always, and it is hereby further enacted by the authority aforesaid, That this act shall not extend, or be construed to extend, to discharge any person seeking the benefit of this act, with respect to any debt or penalty with which he or she shall stand charged at the suit of the crown, or of any person for any offence committed against any act or acts of parliament relative to his Majesty's revenues of customs, excise, stamps, or salt duties, or any of them, or any other branches of the publick revenue, or at the suit of any sheriff or other publick officer, upon any bail bond entered into for the appearance of any person prosecuted for any offence committed against any act or acts of parliament relative to his Majesty's said revenues of customs, excise, stamps, or salt duties, or any other branches of publick revenue, unless any three of the lords commissioners of his Majesty's treasury for the time being, shall certify their content under their hands to the justices at their said sessions, or adjournment thereof, for the discharge of such prisoner as aforesaid.

XLVIII. And whereas, under former acts, creditors have been put to great expence and trouble, in attending every session and adjournment, during the whole continuance of the act, to oppose the discharge of debtors clearly excluded from any benefit under the said respective acts, but who, after having been before one session heard, and refused a discharge, to harass their creditors, constantly gave fresh notice for each subsequent session and adjournment, of their intended application to be discharged: to remedy which, be it further enacted by the authority aforesaid, That in all cases whatever, the determination of the justices in session or adjournment shall be final to all intents and purposes, unless the debtor shall, during the continuance of this act, get rid of the objection or objections for which they refused his discharge; and that the same may be clear and certain, the justices are hereby required to state the objections why such debtor's discharge is refused by them; and

in all cases whatever, it shall and may be lawful to and for the Justices, at any subsequent session or adjournment, upon any application from the prisoner, upon due proof on oath made to them, by two or more credible witnesses, (which oath they are hereby empowered to administer), of each objection or objections being removed, and on proof of notice served, at least ten days previous to such application, on the creditor or creditors who before opposed his discharge, and of notice likewise inserted in the *Gazette*, in manner before directed by this act, to order such prisoner to be brought before them, and, if they shall then be of opinion the said debtor is entitled to the benefit of this act, to discharge him or her to be entitled to the benefit of this act; and if a prisoner, to order him or her to be discharged, he or she taking the oath, and in all other respects conforming to the directions of this act.

LXIX. And whereas it may happen that several persons who may claim and be entitled to the benefit of this act, are seized of an estate situate in some freehold or copyhold lands, tenements, or hereditaments, which entail, with the remainders thereon expectant, they have by law power to defeat and bar, either by levying a fine or fines, suffering a common recovery or common recoveries, or by surrender or surrenders thereof, whereby such person or persons said freehold or copyhold lands, tenements, and hereditaments, would be liable to the payment of their debts, and be delivered up, according to the terms of this act, for the benefit of their creditors: be it therefore enacted by the authority

foresaid, That in every such case such person or persons so seized is aforesaid, and who shall be entitled to and claim the benefit of this act, shall, to all intents and purposes whatsoever in law, in tail, to be deemed and taken, and is and are hereby declared, to be seized of such lands, tenements, and hereditaments, in fee, and the same shall be delivered up to such creditor or creditors of every such prisoner, in the same manner as if such person or persons had actually levied a fine, suffered a common recovery or recoveries, or made a surrender or surrenders thereof, and thereby had become seized in fee; any law or construction of law to the contrary thereof in anywise notwithstanding.

L. And whereas many persons who may be entitled to and claim the benefit of this act, have been great dealers or otherwise engaged in large transactions, whereby they may be entitled to sundry and great debts and demands of various and intricate natures, and they may be entitled to equities of redemption of estates subject and liable to mortgages, judgements, or other incumbrances, or to reversions, remainders, or other contingent estates, in lands, tenements, or hereditaments, or to other trusts or interests in estates, both real and personal, which may not be sufficiently described or discovered in the schedule or inventory before directed to be delivered in upon oath by the prisoner to be discharged as aforesaid, or which may want his aid and assistance to adjust, make out, recover, or manage, for the benefit of his creditors; be it therefore enacted by the authority aforesaid, That it shall and may be lawful to and for the respective assignees of the estate and effects of such debtor or debtors, who shall obtain his, her, or

Estates, to
which prisoners are seized
in tail, to be
delivered up
to creditors.

Affinees may
apply for the
further exa-
mination of
debtors to
their two justices.

their discharge in pursuance of this act, or any other person or persons duly authorised by them for that purpose, from time to time, to apply to any two or more of the justices of the peace for the county, riding, division, city, town, place, or liberty, where such debtor or debtors shall be then residing, thereby desiring that such debtor or debtors may be further examined as to any matters or things relating to his, her, or their estate or effects, whereupon such justices shall send for or call before them such debtor or debtors, by such warrant, summons, ways, or means, as they shall think fit; and upon such debtors appearing shall examine him, her, or them, as well upon oath as otherwise, as to such matters and things as such assignee shall desire, relating to the estate and effects of such debtor or debtors; and if any debtor or debtors (on payment, or tender of payment, of such reasonable charges as such justices shall judge sufficient) shall neglect or refuse to come or appear, not having a lawful excuse, to be made known to such justices, and by them allowed, or being come before them, shall refuse to be sworn, or to answer to all such questions as by such justices shall be put to him, her, or them, relating to the discovery of his, her, or their estate or effects so vested, or intended to be vested, in such clerk of the peace, town clerk, or other officer acting as clerk of the peace, or such assignees as aforesaid, then it shall and may be lawful to and for such justices, by warrant under their hands and seals, to apprehend such debtor or debtors so offending as aforesaid, and him, her, or them, to commit to the common gaol, there to remain, without bail or mainprize, until such time as he, she, or they shall submit him, her, or themselves to such justices, and answer upon oath to all such lawful questions as shall by such justices be put to him, her, or them, for the purposes aforesaid.

Reward of act.
per cent. for
discovering
any part of
debtor's es-
tate not com-
prised in sche-
dule.

L.I. And be it further enacted by the authority aforesaid, That all and every such person and persons who shall, within ten months after the discharge of such prisoner or prisoners, voluntarily come in and make a discovery of any part of such debtor or debtors real or personal estate as shall not be comprised in such schedule as aforesaid, before any such justices aforesaid, shall be allowed after the rate of twenty pounds *per centum* out of the net produce of such debtor or debtors estate which shall be recovered on such discovery, and which shall be paid to such person or persons so discovering the same, by the assignee or assignees of such debtor's estate and effects.

Discharge of
prisoner fra-
udulently ob-
tained, void.

L.II. Provided always, and be it enacted, That notwithstanding the discharge of any debtor or debtors by virtue of this act, if it shall hereafter appear the same was obtained fraudulently, or that any part of the oath taken by any such debtor was not true, then, and in every such case, every such discharge shall be void and of none effect.

L.III. And be it further enacted by the authority aforesaid, That it shall be lawful at all times hereafter for any assignee or assignees of the estate or effects of any debtor or debtors, who shall be chose in pursuance of this act, by and with the consent of the

the major part in value of the creditors of such debtor or debtors, ditors, may who shall be present at a meeting to be had on twenty-one days compound for notice being previously given for the purpose hereafter mentioned, debts, and in *The London Gazette*, if the debtor was in custody in London, or putes to arbitration. within the weekly bills of mortality, and if not, then also in some newspaper which shall be published in the county, city, or place, in or near which such person or persons shall have been in gaol, to make compositions with any person or persons, or accountants to such debtor or debtors, where the same shall appear necessary or reasonable, and to take such reasonable part of any such debt as can upon any such composition be gotten, in full discharge of such debts and accounts; and also to submit any difference or dispute between such assignee or assignees, and any person or persons, for or on account or by reason or means of any matter, cause, or thing, relating to the estate or effects of such debtor or debtors, or to any debt or debts due, or claimed to be due, to or from such debtor or debtors, to the final end and determination of arbitrators, to be chosen by the said assignee or assignees, and the major part in value of such creditors, and the party or parties with whom they shall have such difference, and to perform the award of such arbitrators, or of any umpire to be chosen by them, or otherwise to settle and agree the matters in difference and dispute between them, in such manner as the said assignee or assignees, with such consent as aforesaid, shall think fit and can agree, and the same shall be binding to all the creditors of such debtor or debtors; and every such assignee or assignees is and are hereby indemnified for what they shall fairly do in the premises in pursuance of this act.

LIV. And, for the better discovery of the estate and effects of any debtor who shall be discharged by virtue of this act, be it further enacted by the authority aforesaid, That any person or persons who shall have accepted of any trust or trusts, and shall wilfully conceal or protect any estate, real or personal, of any such debtor from his creditors, and shall not, within thirty days after any assignee or assignees shall, in pursuance of this act, be chosen of any such debtors estate, discover and disclose to such assignee or assignees such trust and estate, in writing, and deliver up or make over the same to such assignee or assignees, he, she, or they, so offending, shall, for every such offence, forfeit the sum of one hundred pounds, and also double the value of the estate, either real or personal, so concealed, to and for the use of the creditors of any such debtor, to be recovered by action of debt in any of his Majesty's courts of record at Westminster, in the name or names of the assignee or assignees of such debtor's estate, together with treble costs of suit.

LV. And whereas provision ought to be made as to what should become of the estate and effects of any debtor or debtors not got in, obtained, or recovered, by any assignee or assignees chose purjuant to the directions of the several acts at the time of his or their death or deaths, and whose heir or heirs, executors, administrators, and assigns, refused to act or meddle therein: to remedy which, be it enacted,

That

Penalty for
concealing
estates of
debtors.

If assignees
die, others
may be chosen,
&c.

That in all such cases it shall and may be lawful to and for the creditors of every such debtor or debtors to chuse a new assignee or assignees, in manner and form as herein-before is directed, and to obtain a new assignment from the clerk of the peace, or his deputy, town clerk, or other officer acting as clerk of the peace, pursuant to the order of the justices, and which said order the said justices are hereby required and empowered to direct (on due proof on oath being made to them of the death of such former assignee or assignees, and refusal of his or their heirs, executors, administrators, or assigns, to act or meddle therein); and the said clerk of the peace, or his deputy, town clerk, or other officer acting as clerk of the peace, are hereby empowered to obey the same, and execute such assignment accordingly, in manner and form as if no former assignment had ever been made, the last assignee or assignees, clerk of the peace, or his deputy, town clerk, or other officer acting as clerk of the peace, hereby conforming to all orders and directions made by this act relative to them, or any of them, and to be liable to all such pains and penalties as are inflicted on them, or any of them, by this act, for disobedience in any part thereof, or neglect of duty whatever; and in case any such assignee or assignees shall die, and his heirs, executors, administrators, or assigns, shall refuse to act, that then and in such case it shall be lawful for such justices of the peace to appoint a new assignee or assignees, with the like powers and authorities as are given by this act; and the said justices shall have power, in a summary way, to oblige the heirs, executors, administrators, and assigns, of such assignee or assignees, to account and deliver up all such estate and effects as shall remain in his or their hands, to be applied for the purposes of this act.

Courts, on
complaint,
may remove
assignees, &c.

LVI. And, to the intent and purpose that the estate and effects of such debtor or debtors as shall be discharged by virtue of this act may be duly and faithfully applied for the benefit of his, her, or their real creditors; be it enacted by the authority aforesaid, That it shall and may be lawful to and for the respective courts at Westminster, and the courts of great sessions in Wales, and the counties palatine of Chester, Lancaster, and Durham respectively, from whence any process issued, upon which any such debtor or debtors was or were committed, or where the process issued out of any other court, to and for the judges of the court of king's bench, common pleas, and exchequer, or of great sessions, or counties palatine aforesaid, within their respective jurisdictions, or any one of them, from time to time, upon the petition of any such debtor, or the creditor or creditors of such debtor, complaining of an insufficiency, fraud, mismanagement, or other misbehaviour, of any assignee or assignees of the estate or effects of any such debtor or debtors, to summon all parties concerned, and, upon hearing the parties concerned therein, to make and give such orders and directions therein, either for the removal or displacing such assignee or assignees, and appointing any new assignee or assignees in the place or stead of such assignee or assignees so to be removed or displaced, and for the prudent, just, and equitable management

or distribution of the estate and effects of any such debtor, for the benefit of the respective creditors, as the said courts or judges respectively shall think fit; and in case of the removal or displacing of any assignee or assignees, and the appointing of any new assignee or assignees, the estate or effects of such debtor or debtors shall, from thenceforth, be divested out of the assignee or assignees so removed or displaced, and be vested in and delivered over to such new assignee or assignees, in the same manner, and for the same intents and purposes, as the same were before vested in the assignee or assignees first chosen, as aforesaid; any thing in this act contained to the contrary notwithstanding.

LVII. Provided always, and be it enacted by the authority aforesaid, That in all cases where mutual credit hath been given between any debtor who shall be discharged in pursuance of this act, and any other person or persons, or bodies corporate or politick, before the delivery of such schedule or inventory of the estate and effects of such debtor or debtors upon oath as aforesaid, the respective assignee or assignees of such debtor or debtors is and are hereby authorised and required, on his and their parts, to state and allow an account between them and the other party or parties concerned; and nothing more shall be deemed to be vested in such clerk of the peace, or town clerk, or other officer acting as clerk of the peace, or such assignee or assignees as aforesaid as the estate or effects of such debtor or debtors, than what shall appear to be justly due to him, her, or them respectively, as and for the balance of such account, when truly stated.

Where mutual credit has been given, the balance to be stated.

LVIII. And whereas many persons are often committed by the courts of law and equity for contempts for not paying monies ordered or awarded to be paid, and also for not paying of costs duly and regularly taxed and allowed by the proper officer, after proper demands made for that purpose, and also upon the writ of Excommunicato Capiendo, or other process for, or grounded on, the nonpayment of money, costs, or expences, in some cause or proceeding in some ecclesiastical court, or for contempt to such court relating thereto; it is hereby declared and enacted, That all such persons are and shall be entitled to the benefit of this act, on and subject to the same terms, conditions, and restrictions, as are herein expressed and declared with respect to prisoners for debt only.

Prisoners for monies awarded, costs, &c. entitled to the benefit of this act;

LIX. And whereas great numbers of poor people have been and are now imprisoned for debt, upon processes issuing out of courts of and also conscience; it is hereby enacted and declared, That all such prisoners on prisoners shall be entitled to have the benefit of this act, and be discharged under the same, provided he, she, or they conform to the directions herein-before prescribed, touching other prisoners who shall be discharged by virtue of this act.

Act not to oblige certain Quakers, now prisoners at York for tithes, to deliver in schedules.

LX. Provided always, and be it enacted by the authority aforesaid, That nothing in this act contained shall extend, or be construed to extend, to John Wormall, Henry Wormall, John Stansfield, Henry King, John Wilkinson, William Hartley, Joseph Brown, and James Walton, being of the people called Quakers,

Justices may cause them to be brought before the sessions, and direct the money due to be levied on their effects, &c.

now prisoners in the common gaol of the county of York, at the suit of the reverend George Markham vicar of Carlton, in the west riding of the said county, for tithes, or any or either of them, so as to oblige them, or any or either of them, to deliver in and subscribe a schedule of their respective estates and effects; but that it shall and may be lawful for the justices of the peace of the said west riding of the county of York, aforesaid, upon application made by the said George Markham, or by any person or persons for or on the behalf of the said John Wormall, Henry Wormall, John Stansfield, Henry King, John Wilkinson, William Hartley, Joseph Brown, and James Walton, or any or either of them to cause the said prisoners respectively to be brought before them at their next general quarter sessions of the peace, (or at any subsequent general quarter sessions), together with a copy or copies of their detainers, and to examine into the value of the estates and effects of the said prisoners, and each and every of them, by the oath of one or more witness or witnesses, and to issue a warrant under their hands and seals, or the hands and seals of any two or more of them, thereby directing and requiring the respective sums due from the said prisoners respectively to the said George Markham, and for which they are respectively charged or detained in the said prison, to be levied upon their respective goods and chattels; and if the goods and chattels of the said prisoners respectively shall not be found sufficient, then the real estates of the said prisoners respectively (if any such there be) shall, by the said justices, or any two or more of them, be assigned over to the said George Markham till such time as the said debts, with all costs and charges, shall be respectively paid, and the said prisoners shall, upon their appearance respectively before the said justices, be respectively discharged from their said imprisonment as to the said debt or debts; and so soon as the said debt or debts, with all costs and charges shall have been fully paid and satisfied, the estates of the said prisoners so assigned to the said George Markham as aforesaid shall be re-conveyed or assigned to them respectively according to the right, title, or interest, which they respectively had therein or thereto at the time of the passing of this act.

No persons who have taken the benefit of any insolvent act within ten years, to be entitled to relief under this.

Affirmation of quakers to be taken.

LXI. Provided always, and be it further enacted, That no person who shall have taken the benefit of any act heretofore passed for the relief of insolvent debtors within the space of ten years last past, shall have or receive any benefit or advantage of or under this act, nor be deemed to be within the intent and meaning thereof, so as to be discharged under the same; any thing herein-before contained to the contrary thereof notwithstanding.

LXII. And be it further enacted by the authority aforesaid, That in all cases wherein by this act an oath is required, the solemn affirmation of any person being a quaker, shall and may be accepted and taken in lieu thereof; and every person making such affirmation, who shall be convicted of wilful and false affirmation,

affirmation, shall incur and suffer such and the same penalties as are inflicted and imposed by this act upon persons convicted of wilful and corrupt perjury.

LXIII. Provided also, and it is hereby enacted, That nothing Act not to in this act contained shall extend to that part of Great Britain extend to called Scotland.

C A P. CXIII.

An act for granting to his Majesty a certain sum of money, to be raised by a lottery.—[July 19, 1797.]

146,250l. to be raised by a lottery, to consist of 55,000 tickets at 1s. 15s. each. All persons who have made deposits of 1s. 15s. for each ticket, pursuant to the resolution of the house of commons, are required to pay the remainder of their subscriptions at the times following, viz. 1s. 10s. by Aug. 11, 1797.—2l. by Sept. 8.—2l. by Oct. 24.—2l. by Nov. 24,—and the remaining 3l. by Jan. 16, 1798, and the contributors for each 1s. 15s. advanced shall be entitled to such lot upon each fortunate ticket as is herein mentioned; and those that pay contributions before Nov. 24, to be allowed discount at 3l. per cent. per annum, and to have lottery tickets delivered at 1s. 15s. each. Cashier to give security to the satisfaction of the commissioners of the treasury; and to pay all monies received into the exchequer. Commissioners of the treasury empowered to apply the money paid in by the cashier. 500,000l. the amount of the prizes, to be paid out of any supplies granted this session. Managers and directors of the lottery to be appointed by the treasury. Method of the lottery books. Managers to examine the books, with the tickets, and deliver them to the cashiers of the bank, taking a receipt for the same. Cashiers to return the books, with the undisposed tickets, with an account of money received and paid in. Undisposed tickets to be delivered into the exchequer. Tickets of the middle columns to be rolled up, and fastened with thread or silk; and cut off indentwise into a box marked with the letter (A), and put into another box to be locked up and sealed. Books to be prepared with two columns, on each of which 55,000 tickets are to be printed. The number and value of the fortunate tickets. Four prizes of 20,000l.—three of 10,000l.—four of 5,000l.—five of 2,000l.—ten of 1,000l.—twenty of 500l.—fifty of 100l.—one hundred of 50l.—and sixteen thousand five hundred of 10l.—100l. to the ticket first drawn a blank,—5,000l. to the ticket first drawn a blank on the fourth day of drawing,—10,000l. to the ticket first drawn a blank on the ninth and twentieth days of drawing, and 20,000l. to the ticket first drawn a blank on the fifteenth and twenty-sixth days of drawing. Tickets in the outermost column of the last mentioned books to be rolled up and tied, and cut off to a box marked with the letter (B), &c. Publick notice to be given of letting the tickets into the boxes. Lottery to begin drawing on Feb. 1, 1798. Method to be observed in drawing, &c. Number of the fortunate tickets, and the sums to be printed. Disputes to be adjusted by the managers. Penalty on forging tickets, &c. Offenders (not in prison) discovering persons guilty to receive a pardon and fifty pounds reward. Proviso. Managers to be sworn. The oath. Cashier may receive a sum subscribed; giving a note for the same, which shall entitle the subscriber to a ticket for every 1s. 15s. paid. After Aug. 11, 1797, the cashier may deliver not exceeding in value half of the sum actually subscribed; and shall give receipts for the residue of such sums, after deducting the value of the tickets so delivered. Contributors not making good their payments within the times limited, forfeit their deposits, and the tickets be returned to the managers, &c. Commissioners of the treasury to reward the managers, &c. as they shall think fit. The 500,000l. for payment of the fortunate tickets, to be charged on any supplies granted this session; and shall be paid to the proprietors without any deduction July 1, 1798, &c. Managers to give notice of the times for exchanging tickets

tickets for certificates. Certificates to be numbered, &c. and signed, &c. Commissioners of the treasury empowered to defray the incidental expences attending the execution of this act. No fee to be taken for receiving or paying contribution monies for receipts, &c. on penalty of 20l. No person to take down the numbers of the tickets at the time of drawing, unless employed as a clerk by the managers, or licensed so to do. Persons so licensed to receive from the stamp office numerical books, which shall be stamped on every leaf. Commissioners to grant such licences only on account of licensed lottery offices. Penalty on unlicensed persons taking down or publishing the numbers of tickets drawn, &c. On complaint the magistrates of London may grant warrants for apprehending offenders. Persons in the actual commission of such offence may be apprehended by any person, and carried before a magistrate, who may commit the offender, if penalty be not paid. Application of penalties. Penalty on persons summoned as witnesses not appearing, &c. Commissioners shall not be required to grant a licence for dealing in lottery tickets, unless it shall appear that the party is able to answer the penalty required by law, and he shall have deposited a certain number of tickets &c. Persons to whom licences are granted to give bond agreeably to 22 Geo. 3. c. 47. Conditions of bonds. At the end of twelve months after expiration of licences, the commissioners may give up bonds or put them in suit. Licences of persons neglecting to deposit or divide into shares fifty tickets, to be void; and the defaulters to be published in the Gazette, &c. In cases where licences under 22 Geo. 3. c. 47. are declared void, in such cases licences granted after the commencement of this act shall be void for offences against this act, or 27 Geo. 3. c. 1. Licences may be refused to persons convicted. Penalty on persons continuing on their houses the words Licensed, &c. after expiration of their licences, &c. Executors, &c. may be authorised to carry on business for the residue of the term of licence. No tickets to be divided into any other shares than halves, quarters, eighths, and sixteenths, on penalty of fifty pounds. Application and recovery of penalties. Form of shares of tickets. Persons counterfeiting shares, &c. guilty of felony. Persons preparing or having in their custody any register or lists of tickets but as herein particularized, or keeping any place for examining tickets, by any other than such list, &c. to forfeit fifty pounds. On complaint on oath of offences against 27 Geo. 3. c. 1. whereby the parties may be liable to punishment as rogues, justices may authorise persons to break open houses, &c. Persons discovered in such houses, concerned in carrying on illegal transactions, to be punished as rogues, and may be arrested &c. Penalty on persons obstructing officers. Persons employing or aiding others to carry on such illegal transactions, to be deemed rogues and vagabonds. Manner in which actions for penalties shall be commenced. Where the amount of penalties sued for is not inserted in writs, the defendant to be served with a copy of the process, &c. Offenders adjudged rogues and vagabonds may be committed. Proceedings not removable by certiorari. General issue. Treble costs.

C A P. CXIV.

An act for raising a certain sum of money, by loans or exchequer bills, for the service of the year one thousand seven hundred and ninety-seven.—[July 19, 1797.]

Commissioners of the treasury may raise 3,500,000l. by loans and exchequer bills before Jan. 5, 1798, in like manner as is prescribed by the malt act of this session, concerning loans &c. The clauses, &c. in the said act relating to loans or exchequer bills, (exception) extended to this act. Exchequer bills so issued not to be received again in payment of any taxes, nor exchanged before April 6, 1798. Action not to lie for such refusal principal and interest with charges to be repaid out of the next supplies; and if sufficient supplies be not granted before July 5, 1798, to be charged on the consolidated fund. Monies so issued to be replaced out of the first supplies. Bank of England authorised to advance the said sum on the credit of this act, and act 5 and 6 Gul. et Mariæ notwithstanding.

1796.] Anno regni tricesimo septimo GEORGII III. c. 115—117. 453

C A P. CXV.

An act for granting to his Majesty the sum of two hundred thousand pounds, to be issued and paid to the governor and company of the bank of England, to be by them placed to the account of the commissioners for the reduction of the national debt.—[July 19, 1797.]

C A P. CXVI.

An act for making allowances in certain cases to subaltern officers of the militia in time of peace.—[July 19, 1797.]

C A P. CXVII.

An act for regulating the trade to be carried on with the British possessions in India, by the ships of nations in amity with his Majesty.—[July 19, 1797.]

WHEREAS by an act, passed in the twelfth year of the reign Preamble. of his late majesty King Charles the Second, intituled, An 12 Car. 2. act for the encouraging and increasing of shipping and na- 'c. 18, recited. vigation, it was enacted, That from and after the first day of December one thousand six hundred and sixty, and from thence forward, no goods or commodities shall be imported into or exported out of any lands, islands, plantations, or territories, to his Majesty belonging or in his possession, or which may hereafter belong unto or be in the possession of his Majesty, his heirs and successors, in Asia, Africa, and America, in any other ship or ships, vessel or vessels, than such as do truly and without fraud belong unto the people of England or Ireland, dominion of Wales, or town of Berwick upon Tweed, or are the built of and belonging to any of the said lands, islands, plantations, or territories, as the proprietors and right owners thereof, and whereof the master and three fourths of the mariners at least are English, under certain penalties and forfeitures therein mentioned: and whereas it is expedient that the ships and vessels of countries and states in amity with his Majesty, should be allowed to import goods and commodities unto and to export the same from the British territories in India, subject to certain restrictions and regulations: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, and during the continuance of the exclusive trade of the united company of merchants of England trading to the East Indies, and during the term for which the possessions of the British territories in India is secured to the said united company, it shall and may be lawful for the ships and vessels of countries and states in amity with his Majesty, to import and export from the British possessions in India, in India, such goods and commodities as they shall be permitted to import into and export from the said possessions by the directors of the said company, who are hereby directed to frame such regulations for carrying on the trade to and from the said possessions, and contrary to Vessels of countries in amity with his Majesty may import into and export from the British possessions in India, in India, goods permitted by the east India directors, not contrary to the treaties or law.

Anno regni tricesimo septimo GEORGII III. c. 118. [1796.]

the countries and states in amity with his Majesty as shall seem to them most conducive to the interest and prosperity of the said British possessions in *India*, and of the British empire; and no ship or vessel belonging to any of the subjects of states or countries in amity with his Majesty, shall be liable to seizure, confiscation, or forfeiture, or other penalty, for exporting from or importing into the said British possessions in *India*, any goods or commodities, the importation or exportation of which respectively shall be permitted by the said regulation; any thing in the said herein-before recited act, of the twelfth year of the reign of King *Charles* the Second, to the contrary notwithstanding: provided always, That it shall not be lawful for the directors of the said united company to frame any regulations for the conduct of the said trade, which shall be inconsistent with any treaty or treaties which shall have been or may be entered into by his Majesty, his heirs and successors, and any country or state at amity with his Majesty, or which may be inconsistent with any act or acts of parliament which have been passed for the regulation of the trade and commerce of the said British territories in *India*.

Regulations
framed by the
directors to
be subject to
the controul
of the board
of commis-
sioners.

Court of
proprietors
not to alter
any resolution
of the direc-
tors relating
to intercourse
of foreign
nations in
amity with
his Majesty
and the
British
territories
in India.

II. And be it further enacted, That all such regulations as shall be framed by the said court of directors, for carrying on the trade to and from the British possessions in *India*, and the countries and states in amity with his Majesty, shall be and they are hereby directed to be subject to the superintendance, direction, and controul of the board of commissioners for the affairs of *India* in the same manner as all acts, operations, and concerns, which anywise relate to or concern the civil and military governments and revenues of the British territories and acquisitions in the *East Indies* now are.

III. And be it further enacted, That it shall not be lawful for any general court of proprietors to alter or change, or to direct, or order, or authorise, the altering or changing, any resolution of the court of directors, or to rescind, revoke, suspend, or vary the same, in so far as the same relates to the intercourse of foreign nations in amity with his Majesty and the British territories in *India*.

C A P. CXVIII.

An act for regulating the height between decks of vessels entered outwards for the purpose of carrying slaves from the coast of Africa.
—[July 19, 1797.]

Preamble.
35 Geo. 3.
c. 90.

WHEREAS by an act of the thirty-fifth year of his present Majesty, intituled, An act for regulating the shipping, and carrying slaves in British vessels from the coast of Africa, it was enabled, That the whole space between decks in such vessels should be allotted for the reception of slaves, in order to their greater comfort and better accommodation: and whereas it has been found, that sufficient provision was not made by the said act, for the comfort and accommodation of the slaves in their apartments between the decks of ships so employed; for

for remedy whereof, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of No vessel to this act, no British ship or vessel shall clear outwards from any port clear outwards for his Majesty's dominions for the purpose of shipping or carrying carrying slaves from the coast of Africa, in which the space between the decks allotted for the reception of slaves, under the provisions of Africa unless any former act, shall not be, in every part throughout the whole the space length and breadth thereof, of the full and complete perpendicular allotted for height of four feet one inch at least, measuring from the upper the slaves surface of the lower deck to the under surface of the upper be of a certain height. deck.

II. And whereas ships and vessels having only one deck are sometimes used for shipping and carrying slaves from the coast of Africa, be it further enacted, That if all such vessels a floor or false One decked deck shall be fixed in the hold, for the reception of the slaves, vessel to have which shall be taken and considered as her lower deck, for the the hold. purpose of this act.

III. And be it further enacted, That no ship or vessel shall be permitted to clear out from any port in Great Britain for the purpose of shipping and carrying slaves from the coast of Africa, sured, and until the proper officer of the customs at such port shall have certified by examined and admeasured such ship or vessel, and shall have found her to agree in admeasurement, and to be in every other particular conformable to the regulations and restrictions required and directed by this act, and shall have certified the same in writing to receive 10s. the collector of his Majesty's customs at such port, for doing which he shall be entitled to demand and receive the sum of ten shillings from the master or owner of the said vessel, and the produced to said certificate shall be annexed to the clearance of the said vessel, the officer, and shall be produced therewith to the collector or comptroller, at the port or other proper officer of the customs, at every port in the West Indies or America, belonging to his Majesty, at which the said vessel shall arrive before any slave or slaves shall be permitted to be landed out of the said vessel at any such port.

IV. And be it further enacted, That after the surveying officer shall have examined and measured any ship or vessel as herein-before directed, it shall not be lawful for the master or owner thereof to remove, or cause or suffer to be removed, any floor or false deck which shall have been fixed in the hold for the reception of slaves, as herein-before directed, except for the purpose of loading or unloading his said vessel on the outward bound voyage, or other unavoidable necessity, or to do, or cause or suffer to be done, any other matter or thing whereby the height of the places or apartments allotted for the reception of slaves shall be diminished, until all the slaves which shall have been taken on board such ship or vessel shall have been discharged or landed therefrom, under the penalty of two hundred pounds for every such offence.

Where penalty may be sued for, which may be within three years after the offence.

V. And be it further enacted, That the penalty inflicted by this act may be prosecuted, sued for, and recovered, in any court of record in Great Britain; and in every such action or suit the party against whom judgement shall be given, (whether plaintiff or defendant), shall pay double costs of suit; and every such action shall and may be brought at any time within three years after the offence committed, and not afterwards, and every such action shall be carried on without wilful delay.

C A P. CXIX.

An act to repeal so much of an act, made in the fifth year of the reign of his late majesty King George the Second, intituled, An act for the more easy recovery of debts in his Majesty's plantations and colonies in America, as makes negroes chattels for the payment of debts.—[July 19, 1797.]

Preamble.

WHEREAS by an act, which was passed in the fifth year of the reign of his late majesty King George the Second, intituled, An act for the more easy recovery of debts in his Majesty's plantations and colonies in America, it was enacted and declared,

That, from and after the twenty-ninth day of September one thousand seven hundred and thirty-two, the houses, lands, negroes, and other hereditary and real estates, situate or being within any of the said plantations, belonging to any person indebted, should be liable to, and chargeable with, all just debts, duties, and demands, of what nature or kind soever, owing by any such person to his Majesty, or any of his subjects, and should and might be assessed for the satisfaction thereof, in like manner as real estates are, by the law of England, liable to the satisfaction of debts due by bond, or other specialty, and should be subject to the like remedies, proceedings, and process, in any court of law or equity in any of the said plantations respectively, for seizing, extending, selling, or disposing of every such houses, lands, negroes, and other hereditaments and real estates, towards the satisfaction of such debts, duties, and demands, and in like manner as personal estates, in any of the said plantations respectively, are seized, extended, sold, or disposed of, for the satisfaction of debts: and whereas it is deemed expedient that the said recited act, so far as it relates to negroes, should be repealed: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That so much of the said in part recited act, as relates to negroes in his Majesty's plantations, is hereby repealed and made void, and shall be of no effect in future; any thing in the above act, or any other act, to the contrary thereof in anywise notwithstanding.

So much of
recited act as
relates to ne-
groes in his
Majesty's
plantations,
repealed.

C A P. CXX.

An act further to continue an act, made in this present session of parliament, intituled, An act to suspend, for a limited time, the operation of two acts of the fifteenth and seventeenth years of the reign of his present Majesty,

Majesty, for restraining the negotiation of promissory notes and inland bills of exchange, under a limited sum, within that part of Great Britain called England; as revived, amended, and continued, by a subsequent act of this session, passed for the purpose of reviving, amending, and continuing the same; and also for continuing such subsequent act.—[July 19, 1797.]

Act 37 Geo. 3. c. 32. and 61, recited, and continued until six weeks after the commencement of the next session of parliament.

C A P. CXXI.

An act to explain an act, passed in the thirty-fifth year of his present Majesty's reign, intituled, An act for further encouraging and regulating the southern whale fisheries.—[July 19, 1797.]

Act 35 Geo. 3. c. 92, recited. Provision in recited act respecting payment of premium to apply only to vessels fitted out subsequent to Nov. 1, 1796.

C A P. CXXII.

An act for the better preventing the forging or counterfeiting the names of witnesses to letters of attorney, or other authorities or instruments, for the transfer of stocks or funds, which now are, or by any act or acts of parliament shall hereafter be made, transferrable at the bank of England; or for the transfer of any part of the capital stock of the governor and company of the bank of England called Bank Stock; or for the transfer of any part of the capital stock, or any stocks or funds under the management of the South Sea company; or for the transfer of any part of the capital stock of the East India company; or for the receipt of dividends upon any of such stocks or funds.—[July 19, 1797.]

WHEREAS by the several acts of parliament creating Preamble. and authorising the transfer and management of the publick stocks, funds, and annuities, transferrable at the bank of England, it is provided, That all assignments, or transfers thereof, shall be entered and registered in books to be kept by the accountant general of the governor and company of the bank of England, which entries shall be signed by the parties making such assignments or transfers, or if such parties be absent, by their respective attorney or attorneys thereunto lawfully authorised in writing under his, her, or their hand and seal, or bands and seals, to be attested by two or more credible witnesses; and the same regulation is prescribed and observed with respect to the attestation of letters of attorney for the transfer of any part of the capital stock of the said governor and company called Bank Stock: and whereas, by an act of parliament made and passed in the ninth year of the reign of her late majesty Queen Anne, and by the charter of the company of merchants of Great Britain trading to the south seas and other parts of America, and for encouraging the fishery commonly called The South Sea Company; and by several acts of parliament, creating and authorising the transfer and management of the stock of the said company commonly called South Sea Stock, and other stocks and funds arising thereout, or transferrable at the South Sea house, it is provided, That all assignments and transfers thereof shall be entered and registered in books kept by the said governor and company, which entries

entries shall be signed by the parties making such assignments and transfers, or if such parties be absent, by their respective attorney or attorneys, thereunto lawfully authorised in writing under his, her, or their hand and seal, or hands and seals: and whereas all assignments and transfers of the capital stock of the united company of merchants of England, trading to the East Indies, are entered and registered in books kept by the said united company, and such assignments and transfers shall be signed by the parties making the same; and if such parties be absent, then by their respective attorney or attorneys, thereunto authorised in writing under his or their hand and seal, or bands and seals: and whereas it is expedient that provision should be made for the prevention of all frauds and impositions upon the said respective governors and companies, and the said united company, respecting the transfer of or the receipt of dividends upon any of the publick funds or annuities transferrable at the bank of England, or of bank stock, or of the capital stock of the said South Sea company, or of the said united company, or any other stocks or funds arising thereout, or transferrable, or which shall hereafter be made transferrable, at the South Sea house or East India house respectively: be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament

From Aug. 1, 1797, persons forging the names of witnesses to instruments for the transfer, or receipt of dividends, of stocks at the bank, or of the South Sea or East India company's stocks, to be guilty of felony.

assembled, and by the authority of the same, That if any person or persons whatever shall, from and after the first day of August one thousand seven hundred and ninety-seven, falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or shall willingly act or assist in the falsely making, forging, or counterfeiting, the name or names, hand writing or hands writing, of any person or persons as, or purporting to be, the witness or witnesses attesting the execution of any letter of attorney, or other authority or instrument, to transfer, assign, sell, or convey, any interest, part, or share, of or in any stock or stocks, annuity or annuities, or other funds, or the dividends thereof, transferrable, or which, by any act or acts of parliament, shall hereafter be made transferrable at the bank of England, or of or in the capital stock belonging, or which hereafter shall or may belong, to the governor and company of the bank of England called Bank Stock, or to the governor and company of merchants of Great Britain trading to the South Seas and other parts of America, and for encouraging the fishery as aforesaid, or under their care or management, or of or in the capital stock belonging, or which hereafter shall or may belong, to the said united company of merchants of England trading to the East Indies, commonly called East India Stock, or of any letter of attorney, or other authority or instrument, to receive any dividend or dividends, on any of the said stocks, annuities, or other funds, or shall utter or publish, as true, any such letter of attorney, or other authority or instrument, containing such false, forged, or counterfeited name or names, hand writing or hands writing, of such attesting witness or witnesses as aforesaid, knowing such name or names, hand writing or hands writing, to be false, forged, or counterfeited, all and every person or persons whatever so offending,

fending, and being in due form of law convicted of any such offence or offences as aforesaid, shall be adjudged guilty of felony, and shall be transported for seven years, or shall be adjudged to suffer such lesser punishment as the court, before whom such offender or offenders shall be tried, shall think fit to award.

II. And be it further enacted by the authority aforesaid, That Publick act, his act shall be deemed and taken to be a publick act, and shall be judicially taken notice of, by all judges, justices, and other persons whomsoever, without the same being specially pleaded.

C A P. CXXIII.

An act for more effectually preventing the administering or taking of unlawful oaths.—[July 19, 1797.]

W H E R E A S divers wicked and evil-disposed persons have attempted to seduce persons serving in his Majesty's forces by sea and land, and others of his Majesty's subjects, from their duty and allegiance to his Majesty, and to incite them to acts of mutiny and sedition, and have endeavoured to give effect to their wicked and seditious proceedings, by imposing upon the persons whom they have attempted to seduce the pretended obligation of oaths unlawfully administered: be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That any person or persons who shall, in any manner or form whatsoever, administer, or cause to be administered, or be aiding or assisting at, or present at and consenting to, the administering or taking of any oath or engagement, purporting or intended to bind the person taking the same to engage in any mutinous or seditious purpose; or to disturb the publick peace; or to be of any association, society, or confederacy, formed for any such purpose; or to obey the orders or commands of any committee or body of men not lawfully constituted; or of any leader or commander, or other person not having authority by law for that purpose; or not to inform or give evidence against any associate, confederate, or other person; or not to reveal or discover any uplawful combination or confederacy; or not to reveal or discover any illegal act done or to be done; or not to reveal or discover any illegal oath or engagement which may have been administered or tendered to or taken by such person or persons, or to or by any other person or persons, or the import of any such oath or engagement; shall, on conviction hereof by due course of law, be adjudged guilty of felony, and may be transported for any term of years not exceeding seven years; and every person who shall take any such oath or engagement, not being compelled thereto, shall, on conviction thereof by due course of law, be adjudged guilty of felony, and may be transported for any term of years not exceeding seven years.

II. Provided always, and be it further enacted, That compulsion shall not justify or excuse any person taking such oath or engagement, unless he or she shall, within four days after the same is required to be taken, make affidavit before some justice of the peace, or other person lawfully authorized to take such oaths, that he or she did not then and there intend to take such oaths, and that he or she was not compelled to take them, and that he or she did not then and there intend to do any thing contrary to the laws of England.

Persons administering unlawful oaths, or taking them voluntarily, to be guilty of felony.

Persons compelled to take such oaths, not justified, taking unless they

declare the
same within
four days.

taking thereof, if not prevented by actual force or sickness, and then within four days after the hindrance produced by such force or sickness shall cease, declare the same, together with the whole of what he or she shall know touching the same, and the persons or persons by whom, and in whose presence, and when and where, such oath or engagement was administered or taken, by information on oath before one of his Majesty's justices of the peace, or one of his Majesty's principal secretaries of state, or his Majesty's privy council; or, in case the person taking such oath or engagement shall be in actual service in his Majesty's forces by sea or land, then by such information on oath as aforesaid, or by information to his commanding officer.

Persons aiding,
etc. at
taking such
oaths, or caus-
ing them to
be adminis-
tered, though not
present, to be
deemed prin-
cipals.

III. And be it further enacted, That persons aiding and abetting at, or present at and consenting to, the administering or taking of any such oath or engagement as aforesaid, and persons causing any such oath or engagement to be administered or taken, though not present at the administering or taking thereof, shall be deemed principal offenders, and shall be tried as such, although the persons or person who actually administered such oath or engagement, if any such there shall be, shall not have been tried or convicted.

In indict-
ments it shall
be sufficient to
set forth the
purport of
such oaths.

IV. And be it further enacted, That it shall not be necessary, in any indictment against any person or persons administering, or causing to be administered or taken, or taking any such oath or engagement as aforesaid, or aiding or assisting at, or present at, and consenting to the administering or taking thereof, to set forth the words of such oath or engagement; and that it shall be sufficient to set forth the purport of such oath or engagement, or some material part thereof.

Engagements
in the nature
of an oath, to
be deemed
one, &c.

V. Provided always, and be it further enacted, That any engagement or obligation whatsoever, in the nature of an oath, shall be deemed an oath within the intent and meaning of this act, in whatever form or manner the same shall be administered or taken; and whether the same shall be actually administered by any person or persons to any other person or persons, or taken by any person or persons without any administration thereof by any other person or persons.

Where of-
fences may be
prosecuted.

VI. Provided also, and be it further enacted by the authority aforesaid, That any offence committed against this act on the high seas, or out of this realm, or within that part of Great Britain called England, shall and may be prosecuted, tried, and determined, before any court of oyer and terminer or gaol delivery, for any county in that part of Great Britain called England, in such manner and form as if such offence had been therein committed; and if committed in that part of Great Britain called Scotland, shall and may be prosecuted, tried, and determined, either before the justiciary court at Edinburgh, or in any of the circuit courts in that part of the united kingdom.

Persons tried
under this act,
not to be tried
again for the

VII. Provided also, and it is hereby declared, That any person who shall be tried, and acquitted or convicted of any offence against this act, shall not be liable to be indicted, prosecuted, or tried

1796.] Anno regni tricesimo septimo GEORGII III. c. 124—126. 461
tried again, for the same offence or fact, as high treason, or mis- same offence;
prision of high treason; and that nothing in this act contained but if not so
shall be construed to extend to prevent any person guilty of any tried, may be
offence against this act, and who shall not be tried for the same tried as for
as an offence against this act, from being tried for the same high treason,
as high treason, or misprision of high treason, in such manner as
if this act had not been made.

C A P. CXXIV.

An act to make perpetual an act, passed in the fifth year of the reign
of his late Majesty, intituled, An act to prevent the committing
of frauds by bankrupts.—[July 19, 1797.]

W H E R E A S an act was made in the fifth year of the reign Preamble.
of his late majesty King George the Second, intituled, An act 5 Geo. 2.
to prevent the committing of frauds by bankrupts, which has c. 30, recited.
been continued by several subsequent acts, until the first day of June
one thousand seven hundred and ninety-six, and from thence to the end
of the then next session of parliament: and whereas it is expedient that
the said act should be made perpetual: be it therefore enacted by
the King's most excellent majesty, by and with the advice and
consent of the lords spiritual and temporal, and commons, in
this present parliament assembled, and by the authority of the
same, That the said act shall be, and the same is hereby made
perpetual.

Recited act
made perpe-
tual.

C A P. CXXV.

An act for authorising his Majesty to permit the exportation of an additional quantity of wheat, wheat meal, or flour, rye, barley, or malt, or bread, biscuit, or pease, to the islands of Guernsey, Jersey, and Alderney, for the sustenance and use of the inhabitants of the said islands, for a limited time.—[July 19, 1797.]

C A P. CXXVI.

An act to prevent the counterfeiting any copper coin in this realm made, or to be made, current by proclamation, or any foreign gold or silver coin; and to prevent the bringing into this realm, or uttering, any counterfeit foreign gold or silver coin.—[July 19, 1797.]

W H E R E A S the commons of Great Britain, in parliament Preamble.
assembled, by their unanimous address to his Majesty, have
requested that his Majesty would be graciously pleased to give directions
that measures might be taken for procuring an immediate supply of such
copper coinage as might be best adapted to the payment of the laborious
poor; and it is necessary that so much of the provisions contained in an
act, passed in the fifteenth year of the reign of his late majesty King
George the Second, intituled, An act for the more effectual pre- 15 Geo. 2.
venting the counterfeiting of the current coin of this kingdom, c. 28, and
and the uttering or paying false or counterfeit coin, as relates to
the copper monies of this realm commonly called An Halfpenny and A
Farthing; and also the provisions contained in an act, passed in the
eleventh year of his present Majesty's reign, intituled, An act for the 11 Geo. 3.
more effectually preventing the counterfeiting the copper coin of c. 40, recited.
this

So much of first recited act, as relates to halfpence and farthings, and the last recited act, and all others relating to copper money of this realm, to extend to all copper money ordered by proclamation to be taken as current money.

Persons counterfeiting foreign gold or silver coin guilty of felony;

as also persons bringing it into the realm, or passing it.

this realm; and all other provisions made by law concerning the copper monies of this realm commonly called An Halfpenny and A Farthing, should be extended to such copper money as may be coined and issued in pursuance of such address, and all other copper monies of this realm, which may be hereafter coined and issued by his Majesty's authority: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, so much of the said act, passed in the fifteenth year of the reign of his late majesty King George the Second, intituled, *An act for the more effectual preventing the counterfeiting of the current coin of this kingdom, and the uttering or paying false or counterfeit coin*, as relates to the copper monies of this realm commonly called An Halfpenny and A Farthing; and also the said act of the eleventh year of his Majesty's reign, intituled, *An act for the more effectually preventing the counterfeiting the copper coin of this realm*; and all and every other acts and act of parliament concerning the copper monies of this realm commonly called An Halfpenny and A Farthing, or any other copper money of this realm, shall extend, and be construed, deemed, and taken to extend, to all such pieces of copper money as shall be coined and issued by order of his Majesty, his heirs and successors, and as shall, by his or their royal proclamation, be ordered to be deemed and taken as current money of this realm; and that all and every the provisions in such acts, or any of them contained, shall extend, and be construed, deemed, and taken to extend, to all such other pieces of copper money as aforesaid, in such and the same manner as if such pieces had been particularly mentioned and described in such acts respectively.

II. And whereas the practice of counterfeiting foreign gold or silver coin, and the bringing into this realm, and uttering within the same, false and counterfeit foreign gold and silver coin, and particularly pieces of gold coin commonly called Louis d'Or, and pieces of silver coin commonly called Dollars, hath of late greatly increased; and it is expedient that provision should be made more effectually to prevent the same; be it enacted, That if any person or persons shall, from and after the passing of this act, make, coin, or counterfeit, any kind of coin not the proper coin of this realm, nor permitted to be current within the same, but resembling, or made with intent to resemble or look like, any gold or silver coin of any foreign prince, state, or country, or to pass as such foreign coin, such person or persons offending therein, shall be deemed and adjudged to be guilty of felony, and may be transported for any term of years not exceeding seven years.

III. And be it further enacted, That if any person or persons shall, from and after the passing of this act, bring into this realm any such false or counterfeit coin as aforesaid, resembling, or made with intent to resemble or look like any gold or silver coin of any foreign prince, state, or country, or to pass as such foreign coin, knowing the same to be false or counterfeit, to the intent

intent to utter the same within this realm, or within any dominions of the same, all and every such person or persons shall be deemed and adjudged to be guilty of felony, and may be transported for any term of years not exceeding seven years.

IV. And be it further enacted, That if any person or persons shall, from and after the passing of this act, utter or tender in payment, or give in exchange, or pay or put off to any person or persons, any such false or counterfeit coin as aforesaid, resembling, or made with intent to resemble or look like, any gold or silver coin of any foreign prince, state, or country, or to pass as such foreign coin, knowing the same to be false or counterfeit, and shall be thereof convicted, every person so offending shall suffer six months imprisonment, and find sureties for his or her good behaviour for six months more, to be computed from the end of the said first six months; and if the same person shall afterwards be convicted a second time for the like offence of uttering, or tending in payment, or giving in exchange, or paying, or putting off, any such false or counterfeit coin as aforesaid, knowing the same to be false or counterfeit, such person shall, for such second offence, suffer two years imprisonment, and find sureties for his or her good behaviour for two years more, to be computed from the end of the said first two years; and if the same person shall afterwards offend a third time, in uttering or tendering in payment, or giving in exchange, or paying, or putting off, any such false or counterfeit coin as aforesaid, knowing the same to be false or counterfeit, and shall be convicted of such third offence, he or she shall be adjudged to be guilty of felony, without benefit of clergy.

V. And be it further enacted, That if any person shall be convicted of uttering or tendering any such false or counterfeit coin as aforesaid, and shall afterwards be guilty of the like offence in any other county, city, or place, the clerk of the assize or clerk of the peace for the county, city, or place, where such former conviction shall have been had, shall, at the request of the prosecutor, or any other on his Majesty's behalf, certify the same by a transcript, in few words, containing the effect and tenor of such conviction; for which certificate two shillings and sixpence, and no more, shall be paid; and such certificate, being produced in court, shall be sufficient proof of such former conviction.

Clerk of the
assize or of
the peace to
certify the
conviction of
any person
for uttering
counterfeit
coin.

VI. And be it further enacted, That if any person or persons shall have in his, her, or their custody, without lawful excuse, any greater number of pieces than five pieces, of false or counterfeit coin, of any kind or kinds, resembling, or made with intent to resemble or look like, any gold or silver coin or coins of any foreign prince, state, or country, or to pass as such foreign coin, every such person, being thereof convicted upon the oath of one or more credible witness or witnesses, before one of his Majesty's justices of the peace, shall forfeit and lose all such false and counterfeit coin, which shall be cut in pieces, and destroyed, by order of such justice, and shall, for every such offence, forfeit and pay any sum of money not exceeding five pounds nor less than forty shillings, for every such piece of false or counterfeit coin.

coin which shall be found in the custody of such person, one moiety to the informer or informers, and the other moiety to the poor of the parish where such offence shall be committed; and in case any such penalty shall not be forthwith paid, it shall be lawful for such justice to commit the person who shall be adjudged to pay the same to the common gaol, or house of correction, there to be kept to hard labour, for the space of three calendar months, or until such penalty shall be paid.

Justices may grant warrants for searching suspected places for counterfeit foreign coin.

VII. And be it enacted, That it shall and may be lawful to and for any one justice of the peace, on complaint made before him, upon the oath of one credible person, that there is just cause to suspect that any one or more person or persons is or are, or hath or have been, concerned in making or counterfeiting any such false or counterfeit coin as aforesaid, resembling, & made with intent to resemble or look like, any gold or silver coin of any foreign prince, state, or country, or to pass as such foreign coin, by warrant under the hand of such justice, to cause the dwelling house, room, workshop, outhouse, or other building, yard, garden, or other place, belonging to such suspected person or persons, or where any such person or persons shall be suspected to carry on any such making or counterfeiting, to be searched for any such false or counterfeit coin, or for tools & implements for coining such false or counterfeit coin, or for materials for making or coining the same; and if any such false or counterfeit coin, or any such tools or instruments, or any such materials for making any such false or counterfeit coin, shall be found in any place so searched, or if any such tools, implements or materials, shall be found in the custody or possession of any person or persons whomsoever, not having the same by some lawful authority, it shall and may be lawful to and for any person or persons whatsoever, discovering the same, to seize, and be and they are hereby authorised and required to seize, such false or counterfeit coin, tools, implements, and materials, and to carry the same forthwith to a justice of the peace of the county, city, or place, where the same shall be seized, who shall cause the same to be secured and produced in evidence against any person or persons who shall or may be prosecuted for any of the offences aforesaid, in some court of justice proper for the determination thereof; and after such time as any such false or counterfeit coin, or any such tools, implements, or materials, shall have been produced in evidence as aforesaid, as well so much and such parts thereof as shall have been so produced, as every other part thereof so seized, and not made use of in evidence, shall forthwith, by order of the court where such offender or offenders shall be tried, or by order of some justice of the peace, in case there shall be no such trial, be defaced or destroyed, or otherwise disposed of, as such court or such justice shall direct.

Such counterfeit coin, and tools and materials, may be seized and carried before a justice, who shall secure the same as evidence, &c.

VIII. And be it further enacted, That no proceedings to be had touching the conviction of any offender against this act before any justice of the peace, shall be quashed for want of form, or be removed by writ of *Certiorari*, or any other writ,

No proceedings before a justice to be quashed for want of form, &c.

or process whatsoever, into any of his Majesty's courts of record at Westminster.

IX. And be it further enacted, That if any action or suit shall be brought or commenced against any person or persons for any thing done in pursuance of this act, then and in every such case the said action or suit shall be commenced within three calendar months after the fact committed, and not afterwards, and shall be brought in the county or place where the cause of action shall arise, and not elsewhere; and the defendant or defendants in such action or suit so to be brought may plead the general issue, and give this act, and the special matter in evidence, at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act; and if it shall appear to be so done, or if any such action or suit shall be brought after the time before limited for bringing the same, or shall be brought in any other county or place as aforesaid, then and in every such case the jury shall find for the defendant or defendants, and if upon the trial a verdict shall pass for the defendant or defendants, or if the plaintiff or plaintiffs shall become nonsuit, or discontinue his, her, or their action, or if upon demurrer judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same as any defendant or defendants hath or have for costs of suit in other cases by law. Treble costs.

C A P. CXXVII.

An act to shorten the time now required for giving notice of the royal intention of his Majesty, his heirs and successors, that the parliament shall meet and be holden for the dispatch of business; and more effectually to provide for the meeting of parliament in the case of a demise of the crown.—[July 19, 1797.]

WHEREAS it is expedient to shorten the time now required for giving notice of the royal intention of his Majesty, his heirs or successors, that the parliament shall meet and be holden for the dispatch of business; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That whenever his Majesty, his heirs or successors, shall be pleased, by and with the advice of the privy council of his Majesty, his heirs or successors, to issue his or their royal proclamation, giving notice of his or their royal intention that parliament shall meet and be holden for the dispatch of business on any day being not less than fourteen days from the date of such proclamation, the same shall be a full and sufficient notice to all persons whatever of such the royal intention of his Majesty, his heirs and successors, and the parliament shall thereby stand prorogued to the day and place therein declared, notwithstanding any previous prorogation of the parliament to any longer day, and notwithstanding any former law, usage, or practice to the contrary.

6 Anne, c. 7. in part recited, and such part repealed.

II. And whereas by an act, made in the sixth year of Queen Anne, intituled, An act for the security of her Majesty's person and government, and of the succession to the crown of Great Britain in the Protestant Line; it is amongst other things enacted, That in case there is no parliament in being at the time of the demise of her said Majesty, her heirs or successors, that hath met and sat, then the last preceding parliament shall immediately convene and sit at Westminster, and be a parliament to continue as therein mentioned, to all intents and purposes as if the same parliament had never been dissolved, but subject to be prorogued and dissolved as therein provided: and whereas great inconvenience may arise from the said provision, be it enacted by the authority aforesaid, That so much of the said act as herein-before recited, shall be and the same is hereby repealed.

Authority for holding a parliament in case of the demise of the King between the dissolution of a parliament and the assembling of a new one;

III. And be it further enacted by the authority aforesaid, That in case of the demise of his Majesty, his heirs or successors, subsequent to the dissolution or expiration of a parliament, and before the day appointed by the writs of summons for assembling a new parliament, then, and in such case, the last preceding parliament shall immediately convene and sit at Westminster, and be a parliament, to continue for and during the space of six months, and no longer, to all intents and purposes as if the same parliament had not been dissolved or expired, but subject to be sooner prorogued or dissolved by the person to whom the crown of this realm of Great Britain shall come, remain, and be, according to the acts for limiting and settling the succession to the same.

and also in case of the demise of a successor to the crown within six months after his succession, without his having dissolved the parliament, or after the same shall have been dissolved, and before a new one shall have met;

or in case of the demise of his Majesty on the day appointed for calling a new parliament, or any day after and before its meeting.

IV. And be it further enacted by the authority aforesaid, That in case of the demise of any such his Majesty's heir or successor within the said period of six months, limited for the duration of the said last preceding parliament, and before the same shall have been dissolved by such his Majesty's heir or successor, or after the same shall have been so dissolved, and before a new parliament shall have met in the manner herein-after provided, then, and in every such case, the said last preceding parliament shall immediately convene and sit, and continue to be a parliament, to all intents and purposes, for and during six months longer, to be computed from and immediately after such last-mentioned demise, but subject to be sooner prorogued or dissolved by the person who shall then succeed as aforesaid to the crown of this realm of Great Britain, and so as often as any such demise shall happen before a new parliament shall have met in manner herein-after provided.

V. And be it further enacted by the authority aforesaid, That in case of the demise of his Majesty, his heirs or successors, on the day appointed by the writs of summons for calling and assembling a new parliament, or at any time after such day so appointed, and before such new parliament shall have met and sat, such new parliament shall, immediately after such demise, convene and sit at Westminster, and be a parliament, to all intents and purposes, to continue for and during the term of six months, and no longer, but subject to be sooner prorogued or dissolved as aforesaid.

796.] Anno regni tricesimo septimo GEORGII III. c. 128—134. 467

C A P. CXXVIII.

An act for assessing the commissioners of the tax office, and their officers, to the land tax, in the district called offices executed in Westminster hall; notwithstanding the removal of the said tax office into Somerset Place.—[July 19, 1797.]

C A P. CXXIX.

An act for supplying the borough and town of Weymouth and Melcombe Regis, and the parts adjacent, in the county of Dorset, with water.—July 19, 1797.

C A P. CXXX.

An act for discontinuing the new harbour of Rye, in the county of Sussex, and for repealing several acts relating thereto, and for providing for the discharge of a debt accrued on account thereof; and for making reparations for certain losses; and for the improvement of the old harbour of Rye.—[July 19, 1797.]

C A P. CXXXI.

An act for building a bridge over Burledon river, at or near the ferry of Burledon, in the county of Southampton; and for making a road from the intended bridge over the river Itchen, at or near Northam, within the liberties of the town and county of the town of Southampton, to the said bridge, and from thence to Titchfield, in the said county of Southampton.—[July 19, 1797.]

C A P. CXXXII.

An act for enlarging, deepening, improving, and maintaining the harbour of Saltcoats, in the county of Ayr.—[July 19, 1797.]

C A P. CXXXIII.

An act for enabling Thomas Macklin to dispose of his collection of modern paintings, as now exhibited at his gallery in Fleet-street, by way of chance.—[July 19, 1797.]

2,400 tickets, at 5l. 5s. each; 76 prizes; to be determined by the drawing of the state lottery.

C A P. CXXXIV.

An act for granting to his Majesty a further additional duty on horses kept and used for the purpose of riding, or of drawing certain carriages therein mentioned.—[July 20, 1797.]

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making an addition to the publick revenue, have freely and voluntarily resolved to give and grant unto your Majesty the duties herein-after mentioned, and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, upon every assessment which shall be made from and after

From July 5, 1797, an additional duty of 5s. to be paid for each horse kept above one for riding, or drawing certain carriages.

Duty to be in addition to all former duties,

and to be subject to 20l. per cent. on the amount.

Commissioners for taxes to put this act in execution.

the fifth day of July one thousand seven hundred and ninety-seven, there shall be raised, levied, collected, and paid, throughout the kingdom of Great Britain, unto and for the use of his Majesty, his heirs and successors, the further additional duty following; that is to say, That every person who shall keep and use more than one horse, mare, or gelding, for the purpose of riding, or for the purpose of drawing any coach, berline, landau, chariot, calash, chaise, or any other carriage, by whatever name such carriage is now, or hereafter may be called or known, for or in respect whereof any rate or duty, heretofore under the management of the commissioners of excise, and now transferred to and under the management of the commissioners for the affairs of taxes, is payable, shall be charged with the further additional annual duty of five shillings for each such horse, mare, or gelding.

II. And be it further enacted, That the said additional rate and duty hereby imposed shall be paid over and above, and in addition to, the respective rates and duties granted by certain acts of the twenty-fourth, twenty-ninth, and thirty-sixth years of the reign of his present Majesty, on horses, mares, or geldings, kept and used for the purpose of riding, or drawing any such carriage or carriages as are therein respectively enumerated.

III. And be it further enacted, That the said rate or duty by this act imposed, as herein-before is mentioned, shall be subject and liable to an additional duty after the rate of twenty pounds *per centum per annum* on the produce and amount contained in any assessment thereof.

IV. And be it further enacted, That, for the better assessing, levying, collecting, and paying, the before-mentioned duties by this act imposed, the commissioners authorised or appointed, or who shall hereafter be authorised or appointed, for putting in execution the acts relative to the present duties on horses, mares, and geldings, or any other duties placed under the management of the commissioners for the affairs of taxes, shall be commissioners for executing this present act with relation to the aforesaid duty, and the powers herein contained, in all and singular the counties, shires, stewartries, ridings, divisions, cities, boroughs, cinque ports, towns, and places respectively, within the kingdom of Great Britain; and that the several surveyors, inspectors, assessors, and collectors respectively appointed, or who shall be appointed in manner aforesaid, shall be surveyors, inspectors, assessors, and collectors, to put in execution this present act, according to the respective powers and authorities given to them by the former acts herein-before mentioned, or any of them; and the said commissioners, and other the persons aforesaid being duly qualified to act in the execution of the said several acts as before mentioned, shall, and they are hereby respectively empowered and required to do all things necessary for putting this act in execution, with relation to the aforesaid rate or duty hereby imposed, in the like, and in as full and ample a manner as they, or any of them, are or is authorised to put in execution the said several acts relative

relative to the rates and duties on horses, mares, and geldings, or any matters or things therein respectively contained.

V. And be it further enacted, That it shall be lawful to and for the several assessors, in making the assessment under this present act of the additional duty after the rate of twenty pounds *per centum*, to assess the sum of twenty pounds *per centum* upon the amount of all the former rates and duties contained in any assessment whereon the rates of twenty pounds *per centum* are imposed by any act or acts of parliament, and the rate and duty imposed by this act, in one sum, and by one assessment and charge, instead of distinct assessments and charges, and to return the same to the respective commissioners, in the manner and under the regulations and directions prescribed by an act of this present session of parliament, intituled, *An act for granting to his Majesty additional duties on the amount of certain duties under the management of the commissioners for the affairs of taxes*; and that the respective collectors shall and may collect and receive the said duties accordingly.

VI. Provided always, and be it further enacted, That the first assessment under this act shall be made for three quarters of a year, from the fifth day of July one thousand seven hundred and ninety-seven; and that, from and after the fifth day of April one thousand seven hundred and ninety-eight, the assessments under this act shall be made for one year from the fifth day of April in each year; and that the duty so to be assessed shall be paid quarterly, at the time and in the manner following; that is to say, On the fifth day of January, the fifth day of April, the fifth day of July, and the tenth day of October, in every year, by equal portions; the first of the said payments on the said assessment for three quarters of a year to be made on the tenth day of October one thousand seven hundred and ninety-seven.

VII. And be it further enacted, That the said additional rate or duty by this act imposed shall be assessed, raised, levied, collected, received, paid over, and accounted for, in such and the like form and manner, and with such allowances, and under such penalties, forfeitures, and disabilities, and according to such rules, methods, and directions, and subject to such provisoies and exemptions by which the former rates and duties on horses used as aforesaid were or might be assessed, raised, levied, collected, received, paid over, and accounted for, or by any of them, as the same now remain in force, and are applicable to the said additional rate or duty hereby imposed, and are not altered by this act; and that all and every the powers, authorities, rules, directions, penalties, forfeitures, exemptions, clauses, matters, and things, contained in any act or acts of parliament relative to the former rates and duties on horses, or any of them, or any act or acts therein referred to, now in force, for the assessing, surcharging, raising, levying, collecting, recovering, receiving, paying, and accounting for, the said rates and duties thereby granted, as far as the same are applicable to the rate and duty by this act imposed, and not repugnant thereto, shall be in force, and be duly observed, practised,

tised, and put in execution, throughout the kingdom of Great Britain, for the assessing, surcharging, raising, levying, collecting, recovering, receiving, paying, and accounting for, the rate or duty by this act granted, as fully and effectually, to all intents and purposes, as if the same powers, authorities, rules, directions, penalties, exemptions, forfeitures, clauses, matters, and things, were particularly repeated and re-enacted in this act.

Former acts or this act not to extend to horses used by licensed persons in the drawing of stage coaches, or carriages for hire.

VIII. Provided always, and be it further enacted, That nothing in the said several acts of the twenty-fourth, twenty-ninth, and thirty-sixth years of the reign of his present Majesty, or in any of them, or in this act contained, shall be construed to extend to the charge with the duty by the said several acts or this act imposed, any person duly licensed to keep any carriage whatever to be employed as a publick stage coach, or carriage for the purpose of conveying passengers for hire from different places in Great Britain, in respect of any horse, mare, or gelding, which is or shall be actually and solely used and employed by such person in drawing such stage coach or carriage from place to place for hire; anything in any of the said acts, or this act, contained to the contrary thereof in anywise notwithstanding.

Duties to be carried to the consolidated fund.

IX. And be it further enacted, That all the monies arising by the said rate or duty hereby imposed, (the necessary charges of raising and accounting for the same excepted), shall from time to time be paid into the receipt of his Majesty's exchequer, and shall be carried to and made part of the consolidated fund.

Application of duties, which for ten years are, with others granted for the same purpose, to be kept separate from all other monies.

X. Provided always, and be it enacted, That the monies arising or to arise of the duty by this act imposed, or so much thereof as shall be sufficient, shall be deemed an addition made to the revenue for the purpose of defraying the increased charge occasioned by any loan raised or stock created, by virtue of any act or acts passed in this session of parliament; and that the said monies shall, during the space of ten years next ensuing, be paid into the said receipt, distinctly and apart from all other branches of the publick revenue; and that there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book or books, in which all the monies arising from the said duty hereby imposed and paid into the said receipt shall, together with the monies arising from any other rates and duties granted or to be granted in this session of parliament, for the purpose of defraying such increased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatever.

C A P. CXXXV.

An act to explain and amend an act, passed in the thirty-sixth year of his Majesty's reign, intituled, An act for repealing certain duties on legacies, and shares of personal estate, and for granting other duties thereon, in certain cases.—[July 20, 1797.]

WHEREAS

WHEREAS by an act, passed in the thirty-sixth year of his Preamble. present Majesty's reign, intituled, An act for repealing 36 Geo. 3. certain duties on legacies, and shares of personal estates, and for c. 52. sect. granting other duties thereon, in certain cases; it is enacted, 32, recited. That where, by reason of the infancy, or absence beyond the seas, of any person entitled to any legacy, or to the residue of any personal estate or any part thereof, chargeable with duty by virtue of the said act, the person or persons having or taking the burthen of any will or testamentary instrument, or the administration of such personal estate, cannot pay such legacy, or some part thereof, although he, she, or they may have effects for that purpose, or cannot pay such residue, or some part thereof, although he, she, or they may have the same, or some part thereof, in his, her, or their hands; it shall be lawful for such person or persons to pay such legacy or, residue, or any part or parts thereof, respectively, or any sum or sums of money on account thereof, after deducting the duty chargeable thereon, into the bank of England, with the privity of the accountant general of the court of chancery, to be placed to the account of the person or persons for whose benefit the same shall be so paid; for payment of which money the said accountant general shall give his certificate, as usual in such cases, on production of the certificate of the commissioners of stamps that the duty thereon hath been duly paid, and such payment into the bank shall be a sufficient discharge for the money so paid in, provided the duty be also paid thereon as aforesaid; and such money, when paid in, shall be laid out by the said accountant general, without any formal request for that purpose, in the purchase of three pounds per centum consolidated annuities, which, with the dividends thereon, shall be transferred and paid to the person or persons entitled thereto, or otherwise applied for his or their benefit, on application to the court of chancery by petition, or motion in a summary way: and whereas money paid into the bank of England with the privity of the said accountant general, in ordinary cases, cannot according to the forms prescribed for that purpose, be paid by the bank of England, upon the draft of the said accountant general, unless the same shall be entered and signed by the register of the said court of chancery or one of his deputies; and doubts have been raised whether the said register or his deputies are authorised to enter and sign any draft of the said accountant general for the purpose of laying out money, paid into the bank of England in pursuance of the said act, in the purchase of three pounds per centum consolidated annuities, as directed by the said act; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That whenever any sum of money shall be paid into the bank of England, with the privity of the said accountant general, is paid into the bank in pursuance of the said act, the accountant general's certificate of such payment shall be filed with the register of the said court of chancery, in the office called The Report Office, in the same section, the manner as certificates of payment of money paid into the bank in pursuance of any order of the said court, are usually filed: and to be filed in

office, where his drafts on the bank for the money for investments shall be entered, and be a warrant to the bank for the payment, &c.

when the said accountant general shall have drawn any draft on the governor and company of the bank of *England* for payment of such money, in the usual form, for the purpose of applying the same in the purchase of three pounds *per centum* consolidated annuities in pursuance of the said act, such draft shall be carried to the said report office, and entered and signed by the register, or one of his deputies, in the same manner as drafts drawn by the said accountant general, in pursuance of any order of the said court are usually entered and signed; and every such draft so drawn, entered, and signed as aforesaid, shall be a warrant to the said governor and company for payment of the money specified in such draft, in the same manner as drafts of the said accountant general, drawn, entered and signed in pursuance of any order of the said court, are warrants to the said governor and company for payment of money in other cases; and the said court of chancery shall, from time to time, make all and every such orders and order as shall be necessary for carrying the purposes of the said act, and of this act, respecting any money so to be paid into the bank as aforesaid, into execution; and such orders or order shall and may be made, either in any particular matter, or for the general purposes of the said act, and of this act, or either of them, as occasion shall require, and as to the said court shall seem fit; and such order or orders of the said court of chancery shall be sufficient warrant to the said accountant general, and to the said register, and his deputies and officers, and to the said governor and company of the bank of *England*, and to all person and persons whomsoever, for all things which shall be done in pursuance of any such order or orders, to all intents and purposes whatsoever.

C A P. CXXXVI.

An act to enable the commissioners of stamp duties to stamp deeds, &c. other instruments, bills of exchange, promissory and other notes, in the cases therein mentioned.—[July 20, 1797.]

Preamble.

WHEREAS deeds and other instruments cannot be given in evidence, nor are in any manner available unless stamped with the proper stamps, provided for such purpose: and whereas, from the variety of stamps provided for different purposes, mistakes have arisen and may again arise in the use of such stamps, for want of knowing the proper denomination or value required in particular cases: and whereas in many instances such instruments cannot be stamped after execution, without paying accumulated penalties, under acts passed from time to time for imposing stamp duties: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That if any vellum, parchment, or paper, whereupon any instrument, matter, or thing, (except bills of exchange, promissory notes, or other notes, drafts, or orders), shall have been

or shall be engrossed, printed, or written, liable in respect thereof to be stamped with a stamp or stamps of a particular denomination or value, and whereon there is or shall be impressed any stamp or stamps of a different denomination, but of an equal or greater value with the stamp or stamps required at the time of making, signing or executing the said instrument, matter, or thing, shall be produced to the commissioners of stamp duties at their head office of stamps or to such officer as the said commissioners, or the major part of them, shall appoint for such purpose, it shall be lawful for the said commissioners, or their officer as aforesaid, in every such case, and upon payment of the duty by law payable for such vellum, parchment, or paper in respect of the instrument, matter, or thing, engrossed, printed, or written thereon, at the time such vellum, parchment or paper, shall be produced as aforesaid, and one penalty of five pounds, to stamp, or cause to be stamped, such vellum, parchment, or paper (except as aforesaid), with the proper stamp or stamps provided and in use for the same, at the time such vellum, parchment, or paper, shall be produced to be stamped as aforesaid, without making any allowance for the stamp or stamps before marked thereon; and every instrument, matter, or thing, so stamped, shall have and be deemed of the like force and validity in the law, as if the same had been duly stamped before such instrument, matter, or thing, had been engrossed, printed, or written thereon; any former law, to the contrary notwithstanding.

II. And be it further enacted, That where any skin, or piece of vellum or parchment, or sheet or piece of paper, on which any matter or thing (except bills of exchange, promissory notes, or other notes, drafts, or orders) shall have been engrossed, printed, or written, shall be brought to the said commissioners to be stamped after the same shall have been executed, the same not having been stamped with any stamp, or having been stamped with a stamp of less value than is by law required, and the person or persons producing the same is desirous of having the same duly stamped, but the same cannot, according to the laws in force, be stamped without payment of accumulated penalties, exceeding ten pounds besides the duty; that then and in every such case it shall and may be lawful for the said commissioners, or the major part of them, to direct the proper officer or officers, and such officer or officers is and are hereby required to stamp the same on payment of the duty by law payable for such vellum, parchment, or paper, in respect of the instrument, matter, or thing engrossed, printed, or written thereon, and one penalty of ten pounds only for every such skin, or piece of vellum or parchment, or sheet or piece of paper, although the duty payable for the same shall have been imposed by more than one act of parliament, and notwithstanding the penalties therupon may have accumulated to a larger sum than the said sum of ten pounds; and every instrument, matter or thing, engrossed, printed, or written, on any vellum, parchment, or paper, so stamped as aforesaid, shall have, and be deemed of the like force and validity

validity in the law, as if the vellum, parchment or paper, so stamped, had been duly stamped before such instrument, matter, or thing, had been engrossed, printed, or written thereon; any former law to the contrary notwithstanding.

If instruments not duly stamp'd, without intention of fraud, be brought to be so stamp'd within 60 days after execution, the commissioners may remit the penalty, &c.

III. Provided always, and be it further enacted, That in any case where it shall appear to the commissioners of stamp duties, upon oath or affirmation, to be made before any one or more of the said commissioners of stamp duties, (which oath or affirmation he is hereby authorised to administer), or otherwise, to their satisfaction, that any instrument whatever required by law to be engrossed, printed, or written, on stamped vellum, parchment, or paper, hath not been engrossed, printed, or written, on vellum, parchment, or paper, duly stamped as aforesaid, either by accident or inadvertency, or from urgent necessity, or unavoidable circumstances, and without any intention in any party or parties thereto, to defraud his Majesty of the duties payable thereon, and such instrument shall be brought to the said commissioners to be stamped as aforesaid within sixty days after the making or execution thereof, it shall be lawful for such commissioners of stamp duties to remit the penalty payable on stamping such instrument, or any part thereof, as they shall deem expedient; and every person concerned in engrossing, printing, or writing, any such instrument, or in making or executing the same, shall be and is hereby freed, discharged, and indemnified, from all further penalties and forfeitures, than such penalties or forfeitures or such parts thereof as shall not be so remitted by order of the said commissioners of stamp duties.

IV. And whereas the commissioners of his Majesty's stamp duties have not been able to supply the different parts of the kingdom with sufficient quantities of vellum, parchment, and paper, stamped with the additional duties granted by an act of the present session of parliament, before the period appointed for the commencement of the said duties, and several persons have necessarily used instruments without such stamps; be it further enacted, That it shall be lawful for any person or persons who shall have used, or shall at any time before the twenty-ninth day of September one thousand seven hundred and ninety-seven, use any vellum, parchment, or paper, on which such additional duty is imposed, and which shall be duly stamped in the manner required by the laws in force on and immediately before the passing of the said act, to bring or send the same to the said head office at any time before the first day of November, in order that the same may be stamped as aforesaid, on payment of the additional duty granted by the said act, and it shall be lawful for the said commissioners of stamp duties, or their officers appointed for such purpose, to stamp the same, on payment of the said additional duty only, without any penalty; and all and every person and persons concerned in engrossing, printing, or writing, any matter or thing, on such vellum, parchment, or paper, as aforesaid, or in using the same in manner aforesaid, shall be and is and are hereby indemnified, freed, and discharged, from and against

The additional duty imposed by 17 Geo. 3. c. 90, may be stamp'd on vellum, &c. used before Sept. 29, 1797, which shall be brought to the head office before Nov. 1, on payment of duty.

against all penalties and forfeitures incurred, or to be incurred thereby before the stamping the same in manner aforesaid.

V. And whereas by an act, passed in the thirty-first year of the reign of his present Majesty, intituled, An act for repealing the 31 Geo. 3. c. 25, recited.

reign of his present Majesty, intituled, An act for repealing the 31 Geo. 3. c. 25, recited.

duties now charged on bills of exchange, promissory notes, and other notes, drafts, and orders, and on receipts and for granting other duties in lieu thereof, certain stamp duties were imposed on bills of exchange, promissory notes, and other notes respectively; and it was thereby enacted, That all vellum, parchment, and paper, before any bill of exchange, promissory note, or other note, liable to any stamp duty by the said act imposed, should be engrossed, printed, or written thereon, should be brought to the head office for stamping such vellum, parchment, and paper; and that it should not be lawful for the commissioners for managing the duties on stamped vellum, parchment, and paper, or their officers, to stamp any vellum, parchment, or paper, at any time after any bill of exchange, promissory note, or other note, draft or order, should be written thereon, under any pretence whatsoever: be it further enacted, That it shall and may be lawful for any person or persons, who shall be the holder or holders of any bill of exchange, promissory note, or other note, draft, or order, made after the passing of this act, and liable to any stamp duty by virtue of the said recited act, which shall be stamped with a stamp of a different denomination than is required by the act, if on stamp required, to produce the same, or cause the same to be produced, within the respective times herein-after mentioned, to the commissioners appointed to manage the said duties at the different head office of stamps in Middlesex, or to such officer or officers as nominations the said commissioners, or the major part of them, shall by writing under their hands, appointed for such purpose; and it shall and may be lawful for such commissioners to direct the proper officer or officers, and such officer or officers is hereby required, upon payment of the duty payable on such vellum, parchment, or paper, by the said recited act, and such penalty as is herein-after mentioned, over and above the said duty, to mark or stamp such bill of exchange, promissory note, or other note, draft, or order, with the proper mark or stamp, and to give a receipt for the duty and penalty so paid on the back of such bill of exchange, promissory note, or other note, draft, or order, so stamped; and every such bill of exchange, promissory note, or other note, draft, or order, so stamped, shall have and be deemed of the like force and validity in the law, as if the same had been duly stamped according to the directions of the said recited act; and all and every person or persons procuring such bill of exchange, promissory note, or other note, draft, or order, to be stamped as directed by this act, shall be and is and are hereby indemnified, freed, and discharged, from and against all penalties and forfeitures incurred by reason of such bill of exchange, promissory note, or other note, draft, or order, not having been duly stamped according to the directions of the said act.

Bills of
exchange, &c.
made after
the passing of
this act, liable to
stamp duty

under recited

stamp of an
equal or
superior value,
though of

superior value,
than the legal
stamps, may

be properly
paid on
such stamp,

the duty and
a penalty.

Penalty to be paid on stamping said bills.

VI. And be it further enacted, That if any such bill of exchange, promissory note, or other note, draft, or order, shall be produced to the said commissioners before the same shall be payable according to the tenor and effect thereof, the same shall be stamped on payment of the said duty, and the penalty of forty shillings; but in case such bill of exchange, promissory note, or other note, draft, or order, shall be payable according to the tenor and effect thereof, before the production thereof to the said commissioners for the purpose before mentioned, then the same shall not be stamped, unless on payment of the duty and the sum of ten pounds for the said penalty.

C A P. CXXXVII.

An act to continue an act made in this present session of parliament, intituled, An act to revive and continue for a limited time, and amend an act, passed in the present session of parliament, intituled, An act to allow the banks, and certain banking companies, in that part of Great Britain called Scotland, to issue notes for sums under a certain amount, for a limited time; and for indemnifying all persons who have issued notes for small sums of money in that part of the united kingdom, for a limited time.—[July 20, 1797.]—Continued until thirty days after the commencement of the next session of parliament.

C A P. CXXXVIII.

An act to amend act, made in the twenty-second year of the reign of his present Majesty, intituled, An act for better securing the freedom of elections of members to serve in parliament, by disabling certain officers, employed in the collection or management of his Majesty's revenues, from giving their votes at such elections, by extending the provision thereof to persons voting in any meeting of freeholders for preses or clerk, or on any question relative to the adjustment of the roll of freeholders, in that part of Great Britain called Scotland; and for empowering freeholders to administer the oath of trust and possession to persons offering to vote for preses and clerks.—[July 20, 1797.]

C A P. CXXXIX.

An act for allowing a further time for carrying into execution certain powers contained in two acts of the present session of parliament, for raising a provisional cavalry, so far as the same relate to the registering and accepting of volunteers in lieu of the said provisional cavalry, in such counties, and subdivisions of counties, wherein the said acts have not been carried into execution.—[July 20, 1797.]

Preamble.
37 Geo. 3.
c. 6. and

WHEREAS by an act, passed in the present session of parliament, intituled, An act for enabling his Majesty to raise a provisional force of cavalry, to be embodied, in case of necessity, for the defence of these kingdoms, certain provisions are made for raising, in the several counties, ridings, and places, in that part of Great Britain called England, a body of cavalry for his Majesty's service, to be kept in readiness to be called out into actual service whenever it shall be necessary, in order to repel any invasion that might be attempted by the enemies of the country: and whereas, by another act, passed

1796.] Anno regni tricesimo septimo GEORGII III. c. 140. 477
passed in the same session of parliament, intituled, An act to explain c. 23, recited, and amend an act, made in the present session of parliament, intituled, 'An act for enabling his Majesty to raise a provisional force of cavalry, to be embodied in case of necessity, for the defence of these kingdoms,' powers are given to the deputy lieutenants and justices of the peace, acting in the execution of the said acts, for any subdivision of any county, riding, or division, to suspend the further execution of the said first-mentioned act within such subdivision, in case three fourth parts of the whole number of men to be raised within such subdivision should be registered, within a time therein limited, as volunteers, raised and formed under the authority of an act passed in the thirty-fourth year of the reign of his present Majesty, intituled, An act for encouraging and disciplining such corps or companies of men as shall voluntarily enrol themselves for the defence of their counties, towns, or coasts, or for the general defence of the kingdom during the present war; and also to suspend the operation of the said act, as to classing and balloting for the said provisional cavalry, in case any number of such volunteers should be registered for particular classes: and whereas certain counties, and subdivisions of counties, have not proceeded to execute the first-mentioned act: and it is expedient to allow a further time for registering volunteers under the authority of the said act of the thirty-fourth year of the reign of his present Majesty, in order that the execution of the said first-mentioned act may be suspended in such subdivisions and classes respectively, in the manner directed by and under the terms contained in the last-mentioned act of the present session of parliament: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all the powers, provisions, clauses, matters, and things, in the said last-mentioned act of the present session of parliament contained, with respect to the approving and registering of volunteers raised or formed under the authority of the said act of the thirty-fourth year of his present reign of his present Majesty, within the time therein limited, and to the suspending further execution of the said acts of the present session of parliament, or either of them, in the manner therein directed, shall be, and the same are hereby extended and declared to be in the further full force, until and upon the first day of October one thousand seven hundred and ninety-seven, in all and every the said counties, and subdivisions of the said counties, in which the said acts of the present session of parliament have not been executed; any thing in the said acts contained to the contrary notwithstanding.

Powers of
37 Geo. 3.
c. 23. as to
approving
and register-
ing volunteers
34 Geo. 3.
c. 31. and to
suspending
execution of
37 Geo. 3.
c. 6 and 23.
extended to
Oct. 1, 1797,
in certain
counties.

C A P. CXL.

An act to enable his Majesty more easily and effectually to grant conditional pardons to persons under sentence by naval courts martial, and to regulate imprisonment under such sentences.—[July 20, 1797.]

WHEREAS

Preamble.

If his Majesty shall extend his mercy to persons liable to death by the sentence of a naval court martial, a justice of the king's bench, &c. may, on notification from the secretary of state, allow the benefit of such conditional pardon as if it had passed under the great seal, and shall make orders accordingly.

WHEREAS it is expedient to provide more effectually for the performance of the conditions upon which his Majesty may be graciously pleased to grant conditional pardons to offenders liable to the punishment of death by sentence of naval courts martial; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That if his Majesty shall be graciously pleased to extend his mercy to any offender liable to the punishment of death by the sentence of a naval court martial, upon condition of transportation, or of transporting himself beyond seas, or upon condition of being imprisoned within any gaol in Great Britain, or on condition of being kept to hard labour in any gaol or house of correction, or penitentiary house, or on any river, under the direction of any superintendent or superintendents legally appointed for the charge of offenders sentenced to hard labour on such river, it shall and may be lawful for any justice of the king's bench, common pleas, or baron of the exchequer, of the degree of the *esqf*, upon such intention of mercy as aforesaid being notified in writing by one of his Majesty's principal secretaries of state, to allow to such offender the benefit of such conditional pardon as shall be expressed in such notification, in the same manner as if a conditional pardon had passed for that purpose under the great seal; and thereupon whenever any such pardon shall be granted to any such offender upon condition of transportation, or of transporting himself, such justice or baron shall make an order for the transportation of such offender upon the terms and for the time which shall be specified in such notification, and shall also make such other order or orders, and do all such other acts consequent upon the same, as any such justice or baron is authorised to make or do by an act, passed in the twenty-fourth year of his Majesty's reign, intituled, *An act for the effectual transportation of felons, and other offenders, and to authorise the removal of prisoners, in certain cases; and for other purposes therein mentioned*, with respect to offenders in such act mentioned, tried at any court of oyer and terminer or gaol delivery in England, as in the said act mentioned; and such order and orders so to be made as aforesaid, and all such acts as shall be so done as aforesaid, shall be obeyed and done by such person in whose custody such offender shall at that time be, and all other persons whom it may concern, and shall be as effectual, and have all the same consequences, as any order made under the authority of the said act with respect to any offender in the said act mentioned; and whenever any such pardon shall be so granted as aforesaid to any offender liable to the punishment of death by the sentence of a naval court martial as aforesaid, upon condition of being imprisoned within any gaol in Great Britain, or on condition of being kept to hard labour in any house of correction, or penitentiary house, or on condition of being kept to hard labour, during any specified term, on any river, under the direction and management of any superintendent or superintendents legally appointed as

aforesaid, and such pardon shall have been allowed in manner aforesaid by any such justice or baron as aforesaid, such justice or baron shall order such offender to be imprisoned or kept to hard labour in the manner and for the time which shall be specified in the notification of such conditional pardon from such secretary of state as aforesaid, and shall make such order or orders, and do all such other acts consequent thereupon, as any justice of oyer and terminer or gaol delivery is authorised to make or do by an act, passed in the nineteenth year of his Majesty's reign, intituled, *An act to explain and amend the laws relating to transportation, imprisonment, and other punishment of certain offenders*, with respect to offenders mentioned in the said act, and to whom conditional pardons may be granted, as in the said act mentioned; and such order or orders when made, and all such other act and acts when done, by any such justice or baron as aforesaid, shall be as effectual, and have all the same consequences, as any order made for the like purpose under the authority of the last mentioned act, with respect to any offender in such act mentioned; and every sheriff, gaoler, keeper, governor, or superintendent, whom it may concern, and all constables and other persons shall be bound to obey the aforesaid order and orders, be assistant in the execution thereof, and be liable to the same punishment for disobedience or interrupting the execution of the same, as they would be if the same had been made under the authority of the aforesaid acts respectively; and every person to whom such conditional pardon shall be extended, shall be subject respectively to all and every the provision and provisions made by law and now in force concerning persons convicted of any crime and receiving his Majesty's pardon on any such condition as aforesaid.

II. And be it further enacted, That when any offender liable to the punishment of death by the sentence of any naval court martial as aforesaid, shall receive and be allowed his Majesty's pardon in manner aforesaid, the justice or baron who shall allow such pardon, and make any such order as aforesaid under any such notification of his Majesty's intention as aforesaid, shall direct the said notification, and his own order made thereupon, to be filed in the office of the clerk of the crown of his Majesty's court of king's bench, and to be there kept of record; and the said clerk of the crown shall receive a fee of two shillings and sixpence, and no more, for filing the same.

III. And be it further enacted, That whenever any offender shall be ordered, by virtue of this act, to be imprisoned or to be kept to hard labour in any such manner as aforesaid, the clerk of the crown shall deliver, or cause to be delivered, to the person in whose custody such offender shall at that time be, a certificate in writing under his hand, (not taking for the same more than two shillings and sixpence over and above what he has received for filing the said notification and order), containing an account of the christian name and surname of such offender, of his offence, of the place where the court was held, before whom he was convicted, and of the time for which, the place where, and

The justice or baron allowing the pardon, to direct the notification and order to be filed with the clerk of the crown of the court of king's bench.

When an offender is ordered to be imprisoned, or kept to hard labour, the clerk of the crown to deliver to the person in whose custody he shall be, a certificate of his name,

offence, &c. the manner in which, he shall be ordered to be imprisoned, or to be kept to hard labour, in any such manner as aforesaid; and the person having the custody of such offender shall, with all convenient speed after receiving such certificate as aforesaid, convey such offender, or cause him to be conveyed, to the house, prison, &c. or place, to which he shall so be directed to be conveyed, and shall deliver, or cause to be delivered, such offender, together with such certificate, to the gaoler, keeper, governor, or superintendent, as the case may be, or to such person as such gaoler, keeper, governor, or superintendent, shall appoint; and the person to whom such offender shall be so delivered shall give a proper receipt, in writing under his hand, to the person so delivering such offender, for the discharge of such person, and such certificate shall be kept by the person to whom such offender shall be so delivered, as his warrant and authority for keeping such offender in his custody for such term, and in such manner, as shall be therein specified.

The clerk of the crown, on application, to deliver a certificate of the name, offence, place of conviction, and terms of pardon, which shall be proof.

IV. And be it further enacted, That the said clerk of the crown of his Majesty's court of king's bench shall, upon the application of any such offender who shall accept his Majesty's pardon, or of any other person applying on his behalf, or on the application of any person on behalf of his Majesty, to deliver a certificate in writing under his hand, (not taking for the same more than two shillings and sixpence), containing an account of the christian name and surname of such offender, of his offence, of the place where the court was held, before whom he was convicted, and of the terms and conditions on which his Majesty's pardon was extended to him, which certificate shall be sufficient proof of the conviction and sentence of such offender, and also of the terms on which such pardon was granted to him, in any court, and in any proceeding wherein it may be necessary to enquire into the same.

His Majesty may remove offenders under sentence of death by a naval court, but reprieved, &c. as offend-
ers so reprieved, are remov-
ed, are remov-
ed by 24 Geo.
3. sess. 2.
c. 56.

Laws touch-
ing escape of felons under sentence of death to apply to offend-
ers under like sentence by a naval court, if allowed the benefit of a conditional pardon.

V. And be it further enacted, That it shall and may be lawful for his Majesty to remove any offender under sentence of death by any naval court martial, but reprieved during his Majesty's pleasure, or under order of transportation by virtue of this act, or in confinement under sentence of any court martial, to such place, in such manner, and with such restrictions, as he is empowered to do with respect to offenders under sentence of death, but reprieved during his Majesty's pleasure, or under sentence or order of transportation by the said act, passed in the twenty-fourth year of his Majesty's reign, intituled, *An act for the equal transpor-
tation of felons, and other offenders, and to authorise the removal of
prisoners, in certain cases; and for other purposes therein specified.*

VI. And be it further enacted, That if any offender under sentence of death by a naval court martial as aforesaid, shall be allowed the benefit of such conditional pardon as aforesaid, all and every the laws now in force touching the escape of felons under sentence of death shall apply to such offender, and to all persons aiding, abetting, or assisting, in any escape, or intended escape, of any such offender, or contriving any such escape, from the time when such order shall be made by such justice or baron

1796.] Anno regni tricesimo septimo GEORGII III. c. 141, 142. 481
as aforesaid, and during all the several proceedings which shall be
had for the purposes aforesaid.

C A P. CXLI.

An act to enable the deputy of the clerk of the house of commons, for the time being, to send and receive letters and packets free from the duty of postage.—[July 20, 1797.]

WHEREAS by an act, passed in the fifth year of the reign Preamble.
of his present Majesty, for allowing certain rates of postage, 5 Geo. 3.
and for other purposes, the clerk of the house of commons, for the time c. 25.
being, is authorised to send and receive letters and packets free from
the duty of postage; be it enacted by the King's most excellent
majesty, by and with the advice and consent of the lords spiritual
and temporal, and commons, in this present parliament assembled,
and by the authority of the same, That it shall and may be law-
ful for the deputy of the clerk of the house of commons, for the of the house
time being, to send and receive letters and packets free from the may send and
duty of postage, in like manner as the clerk of the house of receive let-
ters, &c. free
commons is authorised to do by virtue of the said act.

The deputy
of the clerk
of the house
of commons
may send and
receive let-
ters, &c. free
from postage.

II. And be it further enacted, That this act shall be deemed Commence-
and taken to have commencement from the eleventh day of July ment of the
one thousand seven hundred and ninety-seven.

C A P. CXLII.

*An act for the better administration of justice at Calcutta, Madras,
and Bombay; and for preventing British subjects from being con-
cerned in loans to the native princes in India.—[July 20, 1797.]*

WHEREAS by an act, passed in the thirteenth year of the Preamble.
reign of his present Majesty, intituled, An act for establishing 13 Geo. 3.
certain regulations for the better management of the affairs of the c. 63.
East India company, as well in India as in Europe, it was enacted,
That it should be lawful for his Majesty, by letters patent under the
great seal of Great Britain, to erect and establish a supreme court of
judicature at Fort William in Bengal, to consist of a chief justice
and three other justices, being barristers of England or Ireland, of
not less than five years standing, to be named from time to time by his
Majesty, his heirs and successors: and whereas by the said act, and by
divers other acts of parliament, certain jurisdictions, powers, and au-
thorities, were given to the said court to be exercised in the manner
therein directed: and whereas it may be expedient that the number of
judges should be reduced; be it enacted by the King's most excellent

majesty, by and with the advice and consent of the lords spiritual
and temporal, and commons, in this present parliament assembled, &c. of any of
and by the authority of the same, That immediately after the the puisne
death, resignation, or removal, of any of the puisne judges of judges of the
the said supreme court, that the office of one of the said puisne supreme court
judges shall be and the same is hereby suppressed; and from and in Bengal, it
immediately after such death, resignation, or removal, the said shall consist of
supreme court shall consist of a chief justice, and two other a chief justice
judges and two
other judges.

judges only; and all powers, jurisdictions, and authorities whatsoever, shall, from and after such period as aforesaid, be enjoyed and exercised by the said chief justice and other judges, in as full and ample a manner as the same might have been held, enjoyed, and exercised, by the said supreme court under the authority of the said herein-before recited act, or any other act or acts of parliament, or under the charter of justice, granted by his Majesty under the authority of the same.

II. And whereas his Majesty has by law no power to direct the application of any part of the revenues of the territorial acquisitions in India, as a provision for a chief justice, or other judge, of the said supreme court, who, from infirmity, or other causes approved of by his Majesty, may return to Europe: and whereas it is expedient that such power, to a limited extent, be vested in his Majesty, his heirs and successors; be it therefore enacted by the authority aforesaid, That, from and after the death, resignation, or removal, of one of the judges of the said supreme court, and the suppression of the said office in the manner herein-before directed, that it shall and may be lawful for his Majesty, his heirs and successors, by warrant under his royal sign manual, to authorise and direct the payment of a competent yearly sum out of the revenues arising from the territorial acquisitions in India, to be applied for the use and behoof of any chief justice or other judge, who, from age, infirmity, or other cause, to be approved of by his Majesty, his heirs and successors, shall return to Europe.

His Majesty
may direct
the payment
of a yearly
sum out of
the territorial
revenues, to
any chief jus-
tice or other
judge return-
ing to Europe.

Not more
than 2,000.
per ann. to be
so paid to any
chief justice,
nor more
than 1,500.
per ann. to
any other
judge, nor to
any that has
not resided in
India as a
judge for
seven years,
&c.

III. Provided always, That it shall not be lawful for his Majesty, his heirs or successors, to authorise the payment of any larger sum for the use and behoof of any chief justice so returning as aforesaid, than the sum of two thousand pounds per annum, or of any other judge, than the sum of one thousand five hundred pounds per annum; nor shall it be lawful for his Majesty to authorise the payment of any sum whatever to any person who has not resided in India as judge of the said supreme court for the space of seven years; nor shall it be lawful for his Majesty, his heirs or successors, to authorise the payment of any sum which, with the sums already directed and authorised to be paid, at the date of such grant, shall, in the whole, exceed the amount of the salary now paid to one of the puisne judges of the said supreme court.

IV. And whereas, by the charter of justice granted by his Majesty, under the authority of the herein-before recited act, passed in the thirteenth year of his present Majesty's reign, the said supreme court of judicature was directed and required to reduce, or cause to be reduced, to writing, the depositions of witnesses in civil causes, and was directed to require the same to be subscribed by such witnesses, with their names or other mark, and to file the same of record: and whereas by the said charter of justice, it was also directed that no appeal should be allowed from the said supreme court of judicature, unless the value of the matters in dispute exceed the sum of one thousand pagodas: and whereas the requiring the depositions of witnesses to be reduced into writing, and filed of record, is productive of much expence and delay in small causes,

where the value of the matter in dispute does not exceed one thousand pagodas, and which, for that reason, cannot be made the subject of The supreme appeal; be it therefore enacted, That, from and after the passing the matter in of this act, it shall be in the discretion of the said supreme court, dispute does in all cases when the value of the matter in dispute does not not exceed exceed one thousand pagodas, either to direct the deposition of 1,000 pagodas, witnesses to be reduced into writing, and filed of record, or not, may direct as the said court shall think fit, in the particular case; any be filed of thing in the said charter of justice contained to the contrary notwithstanding.

V. And whereas, by the said herein before recited act, it was enacted, that his Majesty might, by charter or letters patent, establish a supreme court of judicature at Fort William in Bengal, in the manner, and with the powers in the said act mentioned; and it was also enacted, that the supreme court so to be erected should have power to appoint clerks and other ministerial officers, with such reasonable salaries, as should be approved of by the governor general and council: and whereas his Majesty did issue his royal letters patent, for erecting a supreme court of judicature at Fort William in Bengal; and, among other things, power was given to the said supreme court, from time to time, as occasion should require, to appoint such clerks and ministers as should be necessary for the administration of justice, and the execution of the authorities granted to the court, which said officers and clerks were to receive such reasonable salaries as the said supreme court should appoint for each office and place respectively, and as the governor general and council should approve: and whereas the said supreme court did appoint certain clerks and ministers, with salaries, which were approved of by the governor general and council: and whereas doubts have arisen whether the said salaries so appointed and approved of as aforesaid, can be reduced or altered, or any of the said offices abolished or suppressed, without the authority of parliament: and whereas the salaries paid by the East India company to the clerks and ministers of the supreme court, amount to a large sum, and yet nevertheless the said clerks and ministers have, and do receive, fees for all business done by them in the said court: and whereas it may be expedient that the said salaries should be reviewed, and that power should be given to alter the same if necessary; be it therefore enacted, That The court of it shall and may be lawful for the court of directors of the united directors may company of merchants trading to India to direct the chief justice chief justice of the said supreme court to issue a precept or order, directed to to issue a pre- all and each of the officers, clerks, and ministers of the supreme cept to the court of judicature at Fort William in Bengal, calling upon them officers of the and each of them to make a return upon oath, which oath the court, to said chief justice, or any of the judges of the said supreme court, make a re- are hereby empowered and required to administer, of the amount turn, on oath, of the salary received by such officer and officers, and also a list of their sala- of the fees to which he or they are entitled, together with the ries and fees. amount of the same, which have been received by such officer for the three years next immediately preceding the date of the said precept or order.

Officers of the court to make a return to the precept in 20 days, and for making a false return to forfeit their offices.

VI. And be it enacted by the authority aforesaid, That every clerk, officer, and minister of the said supreme court, shall pay due obedience to the said order or precept, and make a true return to the same within twenty days next after the date of the same; and if any such officer, minister, or clerk shall be guilty of making a false return, or shall not set forth in the same the full amount of the salary, fees, perquisites, and emoluments which he shall have received for the last three years, and each or any part of the same during which he shall have been in office; then and in such case, such officer shall, upon being duly convicted thereof, forfeit his said office, and be for ever incapable of holding any office in the said supreme court or in the service of the said united company.

Judges to take returns into consideration, and report to the governor general in council what offices should be continued, and the salaries.

If the council agree with the judges respecting retrenchments, they are to be made, subject to the orders of the court of directors, who are also to decide if the council and judges disagree.

If a vacancy occur before the report is made, it is to be filled up provisionally.

VII. And be it further enacted, That the chief justice and other judges of the said supreme court, shall, as soon as they conveniently can after the receipt of the said returns, take the same into their consideration, and report to the governor general in council, under their hands and seals, which of the said offices are, in their opinion, proper to be continued, and what is the proper salary to be allowed to each of the same, and whether any retrenchment can, with propriety, be made therein, with the reasons for the same; and in case the said chief justice and the other judges, or any of them, shall not agree respecting the said report, then such of the said judges as do dissent from the opinion of the majority shall also report, under his or their hands and seals, his or their opinion, with the reasons thereof; and in case the governor general in council do agree with the majority of the said supreme court concerning the extent of the said retrenchment, if any can be made therein, the said governor general in council shall, and they are hereby empowered to alter, abridge, or abolish, all or any of the said offices and salaries which to them shall so seem proper to be altered, or abridged, or abolished, at such time and times, and in such manner as they shall think fit, subject nevertheless to such orders and directions as they shall receive from the court of directors concerning the same; but in case the said governor general in council shall disagree with the said report from the majority of the said court, or any part thereof, then such parts of the said report, as are the subjects of difference between the said governor general in council and the said supreme court, shall be suspended, and shall not be carried into execution, but the same shall be transmitted home for the ultimate decision of the court of directors respecting the same, who shall give such orders respecting the same as they shall think fit: provided always, That, from and after the passing of this act, and until the said report shall be made and considered as is herein-before directed, if any vacancy shall occur in any of the offices or places under the said supreme court, which are herein directed to be reviewed, the same shall be filled up by the judges of the said supreme court provisionally only, and a person or persons shall be by them appointed to do the duty of the said office until the said report shall be made; and such office or offices shall be liable

liable to be reduced, or the salaries altered, if necessary, in the same manner as if they were actually vacant at the time of making such report.

VIII. And whereas certain regulations for the better administration of justice among the native inhabitants and others, being within the provinces of Bengal, Bahar, and Orissa, have been from time to time framed by the governor general in council in Bengal; and among other regulations it has been established and declared as essential to the future prosperity of the British territories in Bengal, that all regulations, passed by government, affecting the rights, properties, or persons of the subjects, should be formed into a regular code, and printed, with translations, in the country languages, and that the grounds of every regulation be prefixed to it; and that the courts of justice within the provinces be bound to regulate their decisions by the rules and ordinances which such regulations may contain, whereby the native inhabitants may be made acquainted with the privileges and immunities granted to them by the British government, and the mode of obtaining speedy redress for any infringement of the same: and whereas it is essential that so wise and salutary a provision should be strictly observed, and that it should not be in the power of the governor general in council to neglect or to dispense with the same; be it therefore enacted, That Regulations of all regulations which shall be issued and framed by the governor general in council at Fort William in Bengal, affecting the rights, persons, or property, of the natives, or of any other individuals who may be amenable to the provincial courts of justice, shall be registered in the judicial department, and formed into a regular code, and printed, with translations, in the country languages, and that the grounds of each regulation shall be prefixed to it; and all the provincial courts of judicature shall be, and they are hereby directed to be bound by and to regulate their decisions by such rules and ordinances as shall be contained in the said regulations; and the said governor general in council shall annually transmit to the court of directors of the East India company ten copies of such regulations as may be passed in each year, and the same number to the board of commissioners for the affairs of India.

Recital of charter from King George the Second.

IX. And whereas his late majesty King George the Second did, by his letters patent, bearing date at Westminster the eighth day of January, in the twenty-sixth year of his reign, grant unto the united company of merchants trading to the East Indies, his royal charter, hereby, amongst other things, constituting and establishing courts of civil, criminal, and ecclesiastical jurisdiction, at the said united company's settlements at Madras Patnam and Bombay in the island of Bombay, and Fort William in Bengal: and whereas the said charter, in so far as it respects the administration of justice at Fort William in Bengal, has been altered and changed by an act, passed in the thirteenth year of his present Majesty's reign, intituled, An act for establishing certain regulations for the better management of the affairs of the East India company, as well in India as in Europe: and whereas the said charter does not sufficiently provide for the due administration of justice in such manner as the state and condition of the company's settlements at Madras Patnam and Bom-

His Majesty may erect courts of judicature at Madras and Bombay, to consist of the mayor, three aldermen, and a recorder, who shall be a barrister, and be appointed by his Majesty.

Extent of their jurisdiction.

bay, do and must require: be it therefore enacted, That it shall and may be lawful for his Majesty, by charter or letters patent under the great seal of Great Britain, to erect and establish a court of judicature at Madras and Bombay respectively, which shall consist of the mayor and three of the aldermen resident in the said settlements of Madras and Bombay respectively for the time being; which aldermen shall, from time to time, be selected in such manner as shall be directed and prescribed by his Majesty in the said charter, together with one other person at each of the said settlements, to be named from time to time by his Majesty, his heirs and successors, which said person shall be a barrister of England or Ireland, of not less than five years standing, which said person so appointed shall be the president of the said court, and shall be styled *The Recorder of Madras and Bombay* respectively; which said courts of judicature shall have, and the same are hereby declared to have, full power and authority to exercise and perform all civil, criminal, and ecclesiastical, and admiralty jurisdiction, and to appoint such ministerial officers as may be necessary, and to form and establish such rules of practice, and such rules for the process of the said court, and to do all such other things as shall be necessary for the administration of justice and the due execution of all or any of the powers which shall or may, by the said charter, be committed to the said courts; and the same shall also be at all times courts of oyer and terminer and gaol delivery in and for Fort Saint George, and the town of Madras, and the limits thereof, and the factories subordinate thereto, and in and for the town and island of Bombay, and the limits thereof, and the factories subordinate thereto respectively.

X. Provided nevertheless, and be it further enacted, That the said new charter, which his Majesty is hereby empowered to grant, and the jurisdiction, powers, and authorities, to be thereby established, shall extend to all British subjects who shall reside within any of the factories subject to or dependant upon the governments of Madras and Bombay respectively; and the said charter shall be competent and effectual, and the said court therein and thereby established shall have full power and authority, according to their respective jurisdictions, to hear and determine all and all manner of complaints against any of his Majesty's subjects, for any crimes, misdemeanors, and oppressions committed or to be committed, and also to hear and determine all suits and actions whatsoever against any of his Majesty's subjects arising in territories subject to or dependant upon the said governments of Madras and Bombay respectively, or within any of the territories which now are or hereafter may be subject to or dependant upon the said governments, or within any of the dominions of the native princes of India in alliance with the said governments respectively, or against any person who at the time when such debt or cause of action shall have arisen, have been employed by, or shall have been directly or indirectly in the service of the united company, or any of his Majesty's subjects: provided always, That the said court shall not be competent to bear,

1796.] Anno regni tricesimo septimo GEORGII III. c. 142. 487

hear, try, and determine any indictment or information against the governor, or any of the council, not being treason or felony, which the governor or any of the council at *Madras* or *Bombay* respectively shall or may be charged with having committed within the jurisdiction of the said courts respectively.

XI And be it further enacted, That the said courts, so to be erected as aforesaid, shall have full power and authority to hear, try, and determine all and all manner of suits and actions, either civil or criminal, which by the authority of any act or acts of parliament may now be heard, tried, or determined by the mayor's courts at *Madras* or *Bombay* respectively, or by the courts of oyer and terminer or gaol delivery there; and all powers, authorities, and jurisdictions, of what kind or nature soever, which by any act or acts of parliament may be or are directed to be exercised by the said mayor's courts, or the said courts of oyer and terminer and gaol delivery, shall and may be as fully and effectually exercised by the said courts, to be erected in the manner aforesaid, as the same might have been exercised and enjoyed by the said mayor's courts or courts of oyer and terminer and gaol delivery respectively: provided always, That nothing in this act shall extend to subject the person of the governor, or any of the council at the respective settlements, or the person of the recorder of the said court, to be arrested or imprisoned in any suit, action, or proceeding in the said court; nor shall it be competent for the said courts, within their respective jurisdictions, to hear or determine, or to entertain and exercise jurisdiction in any suit or action against the governor or any of the council at the said settlements of *Madras* and *Bombay* respectively, for or on account of any act or order, or any other act, matter, or thing whatsoever, councilled, ordered, or done by them in their publick capacity, or acting as governor and council; nor shall the said court have or exercise any jurisdiction in any matter concerning the revenue under the management of the said governor and council respectively, either within or beyond the limits of the said towns, forts, or factories, or concerning any act done according to the usage and practice of the country, and the regulations of the governor and council; and no person shall be subject to the jurisdiction of any of the said courts for or by reason of being a landowner, landholder, or farmer of land or of land rent, or for receiving a pension or payment in lieu of any title to or ancient possession of land or land rent, or for receiving any compensation or share of profits for collecting rents payable to the publick out of such lands or districts as are actually farmed by himself, or those who are his undertenants by virtue of the farm, or for exercising within the said lands or farms any ordinary or local authority commonly annexed to the possession or farm thereof, or for or by reason of his becoming security for the payment of the rents reserved, or otherwise payable out of any lands or farms, or farms of lands, within the dominion subject to the governments of *Madras* and *Bombay* respectively; and no person for or by reason of his being employed by the said company,

company, or the governor and council, or by any person deriving authority under them, for or on account of his being employed by a native, or the descendant of a native, of Great Britain, shall become subject to the jurisdiction of the said courts respectively; in any matter of inheritance or succession to goods or lands, or in any matter of dealing or contract between party or parties, except in actions for wrongs or trespasses only.

Rights of fathers and masters of families to be preserved.

XII. And, in order that due regard may be had to the civil and religious usages of the natives; be it enacted, That the rights and authorities of fathers of families, and masters of families, according as the same may be exercised by the gentu or mahomedan law, shall be preserved to them within their families respectively, nor shall the same be violated or interrupted by any of the proceedings of the said courts; nor shall any act done in consequence of the rule or law of cast, so far as respects the members of the same family only, be deemed a crime, although the same may not be justifiable by the laws of England.

Courts may determine suits against the inhabitants according to the charter, but their inheritance of lands, &c. to be determined as would have been done in a native court; and where one party is a mahomedan or gentu, by the usages of the defendant, &c.

XIII. And be it further enacted, That the said courts so to be erected as aforesaid, shall have full power to hear and determine all suits and actions that may be brought against the inhabitants of Madras and Bombay respectively, in the manner that shall be provided by the said charter; yet nevertheless, their inheritance and succession to lands, rents, and goods, and all matters of contract and dealing between party and party, shall be determined, in the case of mahomedans, by the laws and usages of the mahomedans, and where the parties are gentus, by the laws and usages of the gentus, or by such laws and usages as the same would have been determined by if the suit had been brought, and the action commenced, in a native court; and where one of the parties shall be a mahomedan or gentu, by the laws and usages of the defendant; and in all suits so to be determined by the laws and usages of the natives, the said court shall make such rules and orders for the conduct of the same, and frame such process for the execution of their judgements, sentences, or decrees, as shall be most consonant to the religions and manners of the said natives, and to the said laws and usages respectively, and the easy attainment of the ends of justice; and such means shall be adopted for compelling the appearance of witnesses, and taking their examination, as shall be consistent with the said laws and usages, so that the said suits shall be conducted with as much ease, and at as little expence, as is consistent with the attainment of substantial justice.

No action for wrong, to be against a judicial officer for any order of court, nor for any act done by virtue of any such order; but if any informa-

XIV. And be it further enacted, That no action for wrong or injury shall be against any person whatever exercising a judicial office in any country court, for any judgement, decree, or order of the said court, or against any person for any act done by or in virtue of the order of the said court; and in case any information is intended to be brought against any such person or officer, the same shall be brought and proceeded in, in the same manner, and to all intents and purposes in the same form, and to the same effect, as such informations are directed to be proceeded in before the

the supreme court of judicature at *Calcutta* in *Bengal*, by an act, ^{ed, it must be} intituled, ^{brought ac-} *An act to explain and amend so much of an act, made in the thirteenth year of the reign of his present Majesty, intituled, 'An act for estab-* ^{21 Geo. 3.} *lishing certain regulations for the better management of the affairs of c. 70.*
*the East India company, as well in India as in Europe,' as relates to the administration of justice in *Bengal*; and for the relief of certain persons imprisoned at *Calcutta* in *Bengal* under a judgement of the supreme court of judicature, and also for indemnifying the governor general and council of *Bengal*, and all officers who have acted under their orders or authority, in the undue resistance made to the process of the supreme court.*

XV. And be it further enacted, That a registry of the natives employed in the service of the said company, or in the service of British subjects, or their partners, shall be established within the settlements of *Madras* and *Bombay* respectively, in the same manner, to the same effect, to the like extent, and for the like purpose, and subject to the like penalties, as such register is established at *Calcutta*, by the said act passed in the twenty-first year of his present Majesty's reign.

XVI. And be it further enacted, That it shall and may be directed, in and by the said new charter which his Majesty is herein empowered to grant, that in case any person or persons whatever shall think him, her, or themselves aggrieved, by any judgement or determination of either of the said courts of judicature, to be established as aforesaid, he, she, or they may appeal from such judgement or determination, to his Majesty in council, within such time and in such manner, and in such cases, as his Majesty in his said charter shall judge proper and reasonable to be appointed and prescribed.

XVII. And be it further enacted, That if his Majesty shall grant such charter as aforesaid, and erect such courts of judicature at *Madras* and *Bombay*, all the records and muniments and proceedings whatsoever, of and belonging to the said mayor's courts at *Madras* and *Bombay* respectively, or to the courts of oyer and terminer and gaol delivery, there established by the aforesaid charter of his late Majesty, shall, from and immediately after such courts of judicature as his Majesty is herein empowered to erect shall be established, be delivered over, preserved, and deposited, for safe custody in the said new courts of judicature respectively; to which all parties concerned shall and may have resort and recourse, upon application to the said court.

XVIII. And be it further enacted, That so much of the charter granted by his late Majesty, as confers any civil, criminal, or ecclesiastical jurisdiction upon the mayor's courts of *Madras* and *Bombay* respectively, or upon the president and council as a court of appeal from the said courts, or of oyer and terminer and gaol delivery, at the said settlements, or the subordinates thereto belonging, in case a new charter shall be granted by his Majesty, and shall be openly published at *Madras* and *Bombay* respectively, from and immediately after such publication shall cease and determine,

A registry of natives em-
ployed by the company or
British sub-
jects to be
established
at *Calcutta*.

His Majesty to
direct in the
charter that
persons may
appeal from
the courts to
his Majesty in
council.

Records of the
mayor's
courts, or the
courts of
oyer and ter-
miner, to be
deposited in
the new
courts.

Jurisdiction of
the mayor's
courts, and
of the presi-
dents and
councils as
courts of ap-
peal, to cease
on publication
of new char-
ter.

and be absolutely void to all intents and purposes ; and all judicial powers and authorities granted by any act or acts of parliament to the said mayor's or courts of appeal at the said settlements, shall cease and determine, and be no longer exercised by the said courts ; but the same shall and may be exercised by the courts of judicature to be erected by virtue of this act, in the manner, and to the extent herein-before directed ; but nevertheless the said charter shall, in all other respects, continue in full force and effect, to all intents and purposes, according to the true intent and meaning thereof, except in so far as it is altered or varied by this act, as fully and effectually as if this act had not been made, or such new charter should not have been granted.

Court of directors to cause to be paid to the recorder of each court £1000. annually out of the revenues of the settlement.

XIX. And be it further enacted, That during such time as the said settlements of *Madras* and *Bombay* respectively shall remain in the possession of the said united company, the court of directors of the said united company shall, and they are hereby required to direct and cause to be paid to the recorder of the said court of judicature at *Madras*, the yearly sum of five thousand pounds, and to the recorder of the court of judicature at *Bombay* the yearly sum of five thousand pounds, and such salaries shall be paid to them and each of them for the time being respectively, out of the revenues of the said respective settlements of *Madras* and *Bombay*, at an exchange of eight shillings for the pagoda at *Madras*, and of two shillings and sixpence for the *Bombay* rupee at the settlement of *Bombay*.

Commencement of salaries, which are to be in lieu of all emoluments.

XX. And be it further enacted, That the said salaries shall take place and commence, in respect to such persons who shall be resident in *Great Britain* at the time of their appointment, upon and from the day on which such person shall embark from *Great Britain* ; and that the salaries of all such persons who shall at the time of their appointment be resident in *India*, shall commence and take place from and after their respectively taking upon them the execution of their office as aforesaid ; and that all such salaries shall be in lieu of all fees of office, perquisites, emoluments, and advantages whatsoever ; and that no fees of office, perquisites, emoluments, or advantages whatsoever shall be accepted, received, or taken, in any manner, or on any account or pretence whatsoever, other than such salaries and allowances as are in and by this act directed to be paid.

If the recorder return to Europe after five years residence in India as such, his Majesty may order him an annuity out of the territorial revenues.

XXI. And be it further enacted, That if the recorder of the court of judicature at *Madras* and *Bombay* respectively, shall return to *Europe*, from age, infirmity, or other cause, to be approved of by his Majesty, it shall and may be lawful for his Majesty, by warrant under the sign manual, to direct and authorise an allowance to be made out of the revenues of the British territories in *India*, to such recorder so returning : provided always, That it shall not be lawful for his Majesty to direct any larger allowance to be made to such recorder so returning, than the sum of one thousand two hundred pounds *per annum* ; nor shall it be lawful for his Majesty to direct any allowance to be made

made to any person who has not resided five years in *India* as recorder of such courts of judicature: provided always, That it shall not be lawful for his Majesty to direct the allowance of any sum to any recorder as aforesaid, which, with the allowance already directed and authorised at the date of such grant to be paid, either to any recorder as aforesaid, or any chief justice or other judge of the supreme court of judicature at *Calcutta*, shall, in the whole, exceed the amount of the salary of one of the judges of the supreme court of judicature at *Calcutta*.

XXII. And, in order more effectually to provide for the regular administration of justice, be it enacted, That whenever it shall happen that the recorder of *Madras* or *Bombay* respectively shall die, and no successor shall be on the die, and no person shall be upon the spot, who shall be appointed spot; the by his Majesty to succeed to such recordership, in such case, and puisne judge as soon as the same shall be made known to the supreme court of judicature at *Calcutta*, the junior puisne judge of the said court at *Calcutta* to pro- shall and he is hereby directed and authorised to proceed, with ceed to the all convenient speed, to the settlement where such vacancy shall have happened, and shall take upon himself the office of recorder of the said settlement, and shall hold and exercise the same in as recorder full and ample a manner as if he had been appointed recorder of the said settlement by his Majesty by authority of this act, and shall continue to hold and exercise the said office until a recorder shall be appointed by his Majesty, and until such recorder shall arrive at the said settlement, and no longer.

XXIII. And be it further enacted, That such judge, so acting as recorder during a vacancy, and until the arrival of the person appointed to succeed the said office, shall be entitled to receive a proportion of salary, and no more than would have become due to such recorder during the period while the vacancy shall be supplied by such judge as aforesaid.

XXIV. Provided always, That nothing in this act shall extend, or be construed to extend, to vacate the appointment of such judge by reason of his exercising the office of recorder as aforesaid.

XXV. And be it further enacted, That the said person or persons so to be appointed by his Majesty recorder of the court to be concerned in, or have any dealings or transactions by way of traffick or commerce of any kind whatsoever, either for his or their own use, benefit, profit, or advantage, or the use, benefit, profit, or advantage of any person whatsoever.

XXVI. And be it further enacted, That all offences committed by or charged upon the said recorder of the said courts, shall be tried as the heard, tried, and determined in the same manner as if the same were committed by or charged upon any of the judges of the supreme courts of judicature at *Calcutta*.

XXVII. And be it further enacted, That all new forms of process, or rules and orders for the execution thereof, shall be transmitted to the president of the board of commissioners for the affairs of *India*, to be laid before his Majesty for his royal approbation, and to be transmitted to the board of commissioners for the affairs of *India*.

approbation, correction, or refusal; and such process shall be used, and such rules shall be observed until the same shall be repealed or varied, and in the last case with such variation as shall be made therein.

XXVIII. And whereas the practice of British subjects lending money, or being concerned in the lending of the same, or in transactions for the borrowing money for, or lending money to, the native princes in India, has been productive of much mischief, and is the source of much usury and extortion: and whereas the wholesome orders of the court of directors of the united company of merchants trading to India, have not been sufficient to restrain and repress the same: and whereas it is highly desirable that such practices should be prevented in future;

From Dec. 1, 1797, no British subject to lend any money, or be concerned in raising any for native princes, without consent of the court of directors, or the governor in council; and any person doing so may be prosecuted for a misdemeanor.

be it therefore enacted, That, from and after the first day of December next, no British subject shall, by himself, or by any other person directly or indirectly employed by him, lend any money or other valuable thing to any native prince in India, by whatever name or description such native prince shall be called, nor shall any British subject, either by himself, or by any other person directly or indirectly employed by him, be concerned in the lending any money to any such native prince, nor shall any British subject be concerned either by himself or by any other person, either directly or indirectly, in raising or procuring any money for any such native prince, or as being security for such loan or money, nor shall any British subject lend any money or other valuable thing to any other person for the purpose of being lent to any such native prince, nor shall any British subject, by himself or by any other person, either directly or indirectly, for his use and benefit, take, receive, hold, enjoy, or be concerned in any bond, note, or other security or assignment, granted or to be granted by any such native prince, after the first day of December next, for the loan, or for the re-payment of money, or other valuable thing, without the consent and approbation of the court of directors of the *East India company*, or the consent and approbation of the governor in council of one of the said company's governments in India, first had and obtained in writing; and every person doing, acting, or transacting, or being concerned in any actings, doings, and transactions, contrary to this act, shall be deemed and taken to be guilty of a misdemeanor at law, and shall and may be proceeded against and punished as such, by virtue of this act, before any court of competent jurisdiction; and all bonds, notes, assignments, or securities for money, of what kind or nature soever, taken, held, or enjoyed, either directly or indirectly, for the use and benefit of any British subject, contrary to the true intent and meaning of this act, shall be, and the same are hereby declared to be null and void to all intents and purposes.

Security for
money lent
contrary
hereto, to be
void.

On complaint
to the govern-
ments in India
for acting
contrary to
this act, the
case to be laid

XXIX. And be it further enacted, That when and so often as any information shall be given, or complaint made, to any of the governments of the said united company in the *East Indies*, of any person having acted contrary to the provisions of this act, such governments shall forthwith lay the case before the company's

pany's law officers at the settlement where it arises, who shall before the take the same into their consideration, and report their opinion thereupon, whether the same is a proper case for prosecution (together with their reasons for the same), which report shall be transmitted home to the court of directors by the first convenient opportunity.

X X X. And whereas the provision made by the charter of justice of his late Majesty, for the establishment of a court of requests in and for the towns of Madras Patnam, Bombay, and Calcutta, for the recovery of debts, duties, and demands therein, not exceeding the value of five pagodas, in manner therein directed, hath been found beneficial and convenient: and whereas an extension of jurisdiction of the said courts for the recovery of debts, duties, and demands, to a larger amount in value is found to be useful; be it therefore enacted by the authority aforesaid, That the jurisdiction of the said courts of requests at and for the said towns of *Madras Patnam, Bombay, and Calcutta*, respectively, shall be and the same is extended to the recovery of all or any manner of debts, duties, and demands, not exceeding in value the sum of eighty current rupees respectively, and for that purpose that the commissioners of the said courts of requests, and their successors, shall have full power and authority to hear and determine all actions, plaints, and suits, which have grown, or shall be brought before them, in their said respective courts where the debt, duty, or matter in dispute, shall not exceed the said value of eighty current rupees, and to award execution thereupon for the debt or sum adjudged to be due, in the same manner as they now do for debts and demands under the sum of five pagodas.

Jurisdictions
of the courts
of requests at
Madras, Bom-
bay, and Cal-
cutta, extend-
ed to 80 ru-
pees.

C A P. CXLIII.

An act to explain and amend an act, made in the thirty-fifth year of the reign, of his present Majesty, intituled, An act for the more effectual prevention of the use of defective weights, and of false and unequal balances.—[July 20, 1797.]

WH E R E A S by an act, passed in the thirty-fifth year of the reign of his present Majesty, intituled, An act for the more effectual prevention of the use of defective weights, and of false and unequal balances; it was (among other things) enacted, That it should and might be lawful for the justices, at every quarter sessions of the peace for any county, riding, liberty, or division, in England or Wales, to appoint certain persons to examine the weights and balances within their respective districts, and that the persons so appointed should, once in every month at the least, examine such weights and balances; and the persons in whose possession any false weights or balances should be found, were subjected to a penalty, not exceeding twenty shillings, nor less than five shillings, to be paid to the treasurer of the county, riding, or division, and be applied by him for the purposes therein particularly described: and whereas the said act might be more conveniently executed, if some of the power thereof were vested in the justices of the peace at their several and respective petty sessions; and it

Preamble.
35 Geo. 3.
c. 102, re-
cited.

So much of recited act as requires the justices at quarter sessions to appoint persons to examine weights, &c. repealed, and justices at their petty sessions may appoint such examiners.

Examiners, when directed by the justices, to visit shops, &c. and seize false weights, &c.

Penalty for having false weights, &c.

it is expedient that certain other alterations should be made in the said act: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the tenth day of July one thousand seven hundred and ninety-seven, so much of the said recited act as requires the justices, at the quarter sessions of the peace, to appoint persons to examine the weights and balances within their respective counties, ridings, liberties, and divisions, and which authorises the persons so appointed to search for and examine all weights and balances, and to seize and destroy false or unequal weights or balances, and imposes a penalty on the persons in whose possession the same shall be found, shall be and is hereby repealed; and that it shall and may be lawful to and for the justices of the peace, at their respective petty sessions, within the divisions, districts, and other places of the several counties in England and Wales, to appoint one or more person or persons, who shall have power to examine the weights and balances, within such divisions, districts, and other places respectively.

II. And be it further enacted, That it shall and may be lawful to and for the person or persons so to be appointed as aforesaid, and they are hereby required (having first been sworn duly and faithfully to execute the office in him or them reposed by virtue of such appointment, and of this act (which oath such justices are hereby authorised and empowered to administer), as often as the said justices shall direct, in the day time, to enter into the shop, mill, house, outhouses, and other premises near to such shop, mill, or house, and into the stall or standing place of any person or persons who sell by retail and weight any wares, provisions, goods, or chattels whatsoever, and then and there to search for, view, and examine all weights and balances in such shop, mill, house, outhouses, premises, stall, or standing place, and to seize any weight or weights, not being according to the standard in the exchequer, or any false or unequal balance or balances, which shall, upon such search, be found therein, and to detain the same, to be produced before the justices in petty sessions as aforesaid, upon the hearing of the information or informations herein-after mentioned; and the person or persons, in whose shop, mill, house, outhouses, premises, stall, or standing place, any such defective weight or weights, or any such false or unequal balance or balances, shall be found (against whom for such offence or offences an information or informations is and are hereby directed to be preferred) shall, upon conviction thereof in petty sessions as aforesaid, upon view or confession, or upon the oath of one or more credible witness or witnesses, forfeit and pay, for every such offence, any sum of money not exceeding twenty shillings, nor less than five shillings, as the said justices, before whom such person or persons shall have been convicted, shall in their discretion order and adjudge, together with the costs and charges attending such conviction; such forfeiture, together with such costs and charges,

to be levied by warrant under the hands and seals of the said justices, by distress and sale of so much of the goods and chattels of the person or persons offending, as shall be sufficient to pay the said penalty, and also the expences of making such distres and sale.

III. And be it further enacted, That on the conviction of such Justices to offender or offenders, the said justices shall cause such defective weight or weights, or such false or unequal balance or balances, to be broken, so produced before them, to be forthwith broken and rendered useless, and the materials thereof to be sold, and the money arising from such sale, together with the amount of the forfeiture or forfeitures, to be paid by them to the treasurer of such county, riding, or division, to be applied towards the expences of the county carrying the said recited act and this act into execution, and the residue (if any) on account of the publick stock of such county, riding, or division; and the said justices shall also prepare, or cause to be prepared, returns of the forfeitures levied by them in pursuance of the said before recited act, and of this act, and also of the sums arising from the sale of such defective weights, and false and unequal balances, and shall transinit such returns, signed by them, to the clerk of the peace for such county, riding, or division, respectively, at every general quarter sessions of the peace to be held for such county, riding, or division.

IV. Provided always, and be it further enacted, That if the majority of the inhabitants of any parish, township, or place, within such county, riding, or division, should be desirous that any person or persons shall be specially appointed to examine the weights and balances within such parish, township, or place, it shall and may be lawful for such inhabitants, and they are hereby empowered (at a vestry to be duly holden for that purpose) to nominate one or more substantial householder or householders, to be approved of and appointed by the said justices, at their respective petty sessions for the division or district wherein such parish, township, or place, shall lie; which person or persons so nominated, approved, and appointed, shall have the same powers and authorities, within such parish, township, or place, as are vested in the person or persons appointed for any district, division, or place respectively.

V. Provided also, and be it further enacted, That no appointment for such parish, township, or place, shall be made, until the inhabitants thereof have procured, or caused to be procured, the proper weights, according to the standard in the exchequer, for the use of such parish, township, or place, to be deposited in the custody of the person or persons to be appointed as last-mentioned; and that it shall and may be lawful for the said justices, in their respective petty sessions, to order and direct the costs and charges of procuring such weights, and the recompence and compence to satisfaction to be allowed to such person or persons, for his or their time and trouble in the execution of such office, within such parish, township, or place, to be paid out of the rate made for the relief of the poor, within such parish, township, or place.

Powers of recited act (except hereby altered) to remain in force. VI. And be it further enacted, That all the clauses, powers, and provisions contained in the said recited act (except such as are hereby repealed or altered) shall continue in force, in the same manner, as if the same were repeated and re-enacted in the body of this present act; any thing herein contained to the contrary thereof in anywise notwithstanding.

Proceedings not to be removed.

Justices to cause convictions to be made out in the following form.

VII. And be it further enacted, That no proceedings to be had touching the conviction of any offender or offenders against the said recited act, or this act, shall be removed by writ of *Certiorari*, or by any other writ or process whatsoever, into any of his Majesty's courts of record at *Westminster*.

VIII. And be it further enacted by the authority aforesaid, That the justices of the peace before whom any offender shall be convicted as aforesaid, shall cause the said conviction to be made out in the manner and form following, or in any other form of words to the same effect, *mutatis mutandis*; (that is to say),

'BE it remembered, That on the day of
 B in the year of our Lord at a petty sessions holden
 for the [division or district] of in the said [county,
 riding, or division,] before A. B. and C. D. justices of the peace,
 acting in aid for the said E. F. of
 in the said was duly convicted before us the said justices,
 for that he the said E. F. on the day of
 now last past, at in the said contrary to
 the form of the statute in that case made and provided, [*bere
 state the offence against the act*]; and we the said justices do declare
 and adjudge, that the said E. F. hath forfeited the sum of
 of lawful money of Great Britain for the offence aforesaid,
 to be applied as the law directs; and also, the further sum of
 of like lawful money, for the reasonable costs
 and charges attending this conviction.'

Given under our hands and seals on the day and in the
 year first mentioned.'

Publick act.

IX. And be it further enacted, That this act shall be deemed and taken to be a publick act; and be judicially taken notice of as such, by all judges, justices, and other persons, without the same being specially pleaded or set forth.

C A P. CXLIV.

An act for granting to his Majesty a certain sum of money out of the consolidated fund, and for applying certain monies therein mentioned, for the service of the year one thousand seven hundred and ninety-seven; for further appropriating the supplies granted in this session of parliament; and for making forth duplicates of exchequer bills, lottery tickets, certificates, receipts, annuity orders, or other orders, lost, burnt, or otherwise destroyed.—[July 20, 1797.]

2,000,000l. may be issued out of the consolidated fund; which may be raised by loans or exchequer bills, on the credit of the said fund. Money lent on security of this act not to be rated to any tax. Tallies of loan to be struck, &c. Orders for repayment to be registered, and paid in course. No fee to be taken for registering, &c. on penalty of treble value and costs, and

and also loss of place. Not to be deemed undue preference which orders of the same date, brought the same day, are entered first, so they are all entered; nor if subsequent orders are paid before prior ones not brought for payment, if money be reserved to discharge them. Orders assignable. Treasury may order the sum hereby granted to be raised by exchequer bills, in the manner prescribed by the malt act of the present session; the provisions of which act (except such as charge the bills on the malt duties and limit the rate of interest) to extend to this. Bills and interest, &c. to be discharged out of the consolidated fund. Bank may advance 2,000,000l. on the credit of this act. 420,000l. overplus of grants for 1796, may be issued towards the supply. Monies raised by the malt duties; land tax; annuities; further annuities; further annuities; lottery; exchequer bills; 420,000l. overplus of grants; 2,000,000l. out of consolidated fund (with the residue of the sale of French prizes) to be applied to the uses hereafter expressed. 8,033,673l. 1s. 7d. for naval services for 1797. 5,000,000l. for discharging the navy debt. 1,009,024l. 9s. 2d. for land service of the ordnance for 1797. 114,553l. 19s. 9d. for do in 1795. 74,830l. 3d. for sea service of do in 1795. 425,366l. 10s. 6d. for land service of do in 1796. 16,000l. for additional pay, &c. to the non-commissioned officers and privates of the artillery and military artificers. 3,281l. 11s. 4d. for additional pay to officers of the artillery and engineers, to Dec. 31, 1797. 80,000l. for the portion of the princess royal. 1,500,000l. for loan to Ireland. 500,000l. 200,000l. and 920,000l. for loan to the emperor. 15,488,089l. 2s. 10d. for land forces in 1797, viz. 1,505,905l. 18s. for 60,765 effective men, officers, &c. in Great Britain, Jersey, and Guernsey. 1,411,231l. 19s. 5d. for forces in the plantations, Gibraltar, Corsica, Cape of Good Hope and New South Wales. 42,096l. 9s. 9d. for difference between British and Irish pay of six regiments abroad. 13,335l. 18s. for recruiting regiments in East India. 360,000l. for recruiting, contingencies, &c. 94,195l. 14s. for general, staff, and hospital officers in Great Britain, &c. 950,441l. 3s. 6d. for militia and fencible infantry, and 210,000l. for their contingencies. 112,811l. for militia cloathing. 397,734l. 4s. 2d. for fencible cavalry, and 95,000l. for allowances and extra feed to do. 70,000l. for horse furniture and cloathing to augmentations of the forces in 1796. 7,500l. for allowances to reduced officers of the British American forces, and 52,500l. on account of them. 125l. 3s. 4d. for reduced and superannuated gentlemen of the horse guards. 118,874l. 16s. 8d. for reduced officers of land forces and marines. 180,000l. for quartering soldiers. 136,675l. 14s. 3d. for supernumerary officers. 1000l. for officers late in the service of the states general. 136,779l. 17s. 1d. to the paymaster general, secretary at war, &c. 177,000l. for pay and cloathing of militia. 147,165l. 10s. 11d. for Chelsea hospital. 11,602l. 7s. 3d. for widows pensions. 224,000l. for additional pay to non-commissioned officers and privates of the land forces. 288,000l. outstanding demands for the barrack department. 449,000l. for forage and other expences of do. 60,000l. for allowances to subalterns, &c. of the land forces. 381,637l. 17s. for foreign corps. 30,000l. for volunteer cavalry. 3,280,513l. 13s. 2d. for extraordinaries of the army, from Dec. 25, 1795, to Dec. 6, 1796. 106,962l. 13s. 4d. for do, from Dec. 7, to Dec. 24, 1796. 438,000l. for do previous to Jan. 5, 1797. 4,000,000l. for extraordinaries of the army for 1797. 1,110,000l. for discharging exchequer bills made out under 36 Geo. 3. c. 31. 500,000l. for the queen of Portugal. 28,263l. 1s. 6d. issued pursuant to addresses of the house of commons. 7,000l. for the civil establishment of Upper Canada. 5,915l. for the civil establishment of Nova Scotia. 4,550l. for the civil establishment of New Brunswick. 1,900l. for the civil establishment of the island of St. John in America. 1,840l. for the civil establishment of the island of Cape Breton in America. 1,232l. 10s. for the civil establishment of the island of Newfoundland. 4,100l. for the civil establishment of the Bahama islands. 580l. for the chief justice of the Bermudas or Somers islands. 600l. for the chief justice of the island of Dominica. 5,552l. 10s. for the civil establishment of New South Wales. 13,000l. for forts in Africa. 11,500l. for American sufferers. 71,421l. 5s. 11d. 3q. for his Majesty's service abroad. 140,090l. for relief of the refugee clergy and laity of France. 681l. 16s. 3d. for fixtures at the house

of the speaker of the house of commons. 869l. 19s. for index to the lord's journal. 9,186l. 2s. 4d. to Duncan Campbell esq; for convicts on the river Thames. 13,492l. 2s. 11d. to James Bradley esq; for convicts in Langstone and Portsmouth harbours. 51,682l. 17s. 6d. for part of orders made out pursuant to 30 Geo. 3. c. 34. for the relief of American sufferers. 600,000l. for persons connected with the islands of Grenada and St. Vincents. 1,054,400l. to repay advances of the bank on the consolidated fund for 1795. 1,270,000l. to pay exchequer bills issued on credit of the consolidated fund for 1796. 2,177,000l. to make good the sum charged on the consolidated fund by an act of the last session of parliament. 31,000l. for relief of the refugee clergy and laity of France. 3,033l. 4s. to Duncan Campbell esq; for convicts on the river Thames. 9,628l. 11s. 6d. to James Bradley esq; for convicts in Langstone and Portsmouth harbours. 4,515l. 8s. 1d. 3q. for repairs of the fleet prison. 5,672l. 3s. 3d. 1q. for repairs of the king's bench prison. 1,461l. 15s. 6d. for prosecution of coiners. 2,806l. 9s. for expences in prosecution of Warren Hastings esq. 693l. 15s. for the chief justice of Newfoundland. 31,825l. 14s. 1d. for the settlement at New South Wales. 1,740l. 9s. for expences on account of the alien act. 1,245l. 19s. 3d. for his Majesty's service abroad. 3,000l. for the board of agriculture. 1,800l. for prosecutions relating to the coin. 32,000l. for employing convicts at home. 7,000l. for printing journals of the house of commons, &c., 2,000l. for superintendance of the alien act. 30,000l. for the settlement at New South Wales. 46,120l. for relief of American sufferers. 1,650,000l. to pay bills on the treasury. 832,000l. to pay off exchequer bills under land tax and malt acts in 1796. 180,000l. for relief of refugee clergy and laity of France. 150,000l. for secret service abroad. 200,000l. towards the reduction of the national debt. 1,500l. for the veterinary college. 4,500l. for roads and bridges in North Britain. 38,454l. 14s. 3d. 3q. awarded under the American treaty. Supplies not to be issued for any other than the purposes before mentioned. Rules to be observed in the application of the sum granted for half pay, by 36 Geo. 3. c. 126. 218,873l. 18s. 6d. was appropriated to be paid to reduced officers for 1796, the overplus of which may be disposed of to officers maimed, &c. as his Majesty shall direct. Duplicates of exchequer bills, lottery tickets, &c. lost, may be made out on affidavits being made before the barons of the exchequer.

A N
A L P H A B E T I C A L I N D E X
T O T H E
F I R S T P A R T O F T H E X L Ist V O L U M E
O F T H E
S T A T U T E S A T L A R G E;

Passed in the thirty-seventh Year of the Reign of King GEORGE III.
in the Year of our Lord one thousand seven hundred and ninety-seven, being the first Session of the eighteenth Parliament of Great Britain, which began the twelfth Day of July one thousand seven hundred and ninety-six, and ended by prorogation the twentieth Day of July one thousand seven hundred and ninety-seven.

A.

Aberdeen.

S E E Harbours. Chap. 101.

Addresses of the House of Commons.
28,263*l.* 1*s.* 6*d.* issued pursuant
to addresses of the house of commons. Chap. 144.

Africa.

1. See Slaves. Chap. 118.
2. 13,000*l.* for forts there. Chap.
144.

Agriculture, Board of.

3,000*l.* for the board of agriculture.
Chap. 144.

Alderney.

See Guernsey. Chap. 125.

Aliens.

1. For allowing aliens in foreign colonies surrendered to his Ma-

jesty, to exercise the occupations of merchants or factors. Chap. 63.

2. To continue an act respecting aliens in this kingdom. Chap. 109.

3. 1,740*l.* 9*s.* for expences of the alien act. Chap. 144.

4. 2,000*l.* for superintendance of the same. Same act.

America.

For carrying into execution the treaty of amity, commerce, and navigation, concluded between his Majesty and the united states of America. Chap. 97.

American Sufferers.

1. 11,500*l.* for American sufferers. Chap. 144.

2. 51,682*l.* 17*s.* 6*d.* more for the same. Same act.

3. 46,120*l.* more for the same. Same act.

American Treaty.

38,454*l.* 14*s.* 3*d.* 39*s.* awarded under the American treaty. Chap. 144.

Annuities.

1. For granting annuities to satisfy certain navy, victualling, transport, and exchequer bills. Chap. 9. 20.
2. Contributors towards raising eighteen millions, for every 100*l.* entitled to the principal sum of 112*l.* 10*s.* in the five *per cent.* annuities, from Oct. 10, 1796. Chap. 10.
3. Contributors towards raising fourteen millions five hundred thousand pounds, for every 100*l.* entitled to the principal sum of 125*l.* three *per cent.* consolidated annuities from Jan. 5, 1797; a principal of 50*l.* three *per cent.* reduced annuities, and a principal of 20*l.* four *per cent.* annuities from April 5, 1797, and an annuity of 6*s.* 6*d.* from April 5, 1797, for sixty-two years and nine months. Chap. 57.
4. See *Discounts.* Chap. 82.

Antigua, Island of.

To continue so much of an act as permits the importation and exportation of certain goods, wares and merchandizes in foreign ships, into and from the port of St. John's, in the island of *Antigua.* Chap. 99.

Army.

1. For raising men in the several counties in *England*, for the service of the army. Chap. 4.
2. To explain and amend the above act. Chap. 24.
3. For raising men in the several counties, &c. in *Scotland*, for the army. Chap. 5.
4. To explain and amend the above act. Chap. 39.

Artillery.

1. 16,000*l.* for additional pay to non-commissioned officers and pri-

vates of the artillery and military artificers. Chap. 144.

2. 3,281*l.* 11*s.* 4*d.* for additional pay to officers of artillery and engineers. Same act.

Assessments.

An additional duty of 10*s.* per cent. upon every assessment made after April 5, 1797, of the rates and duties under the management of the commissioners for the affairs of taxes, by acts 24 Geo. 3. sess. 2. c. 31. and 38.—29 Geo. 3. c. 49. and 36. Geo. 3. c. 15, 16. and 124. Chap. 69.

Attorneys.

1. Indentures of clerkship to attorneys and solicitors made after Feb. 5, and 10, and before March, 28, 1794, whereon any duty is required to be paid by 34 Geo. 3. c. 14. may, on payment of the duty by August 1, 1797, be stamped. Chap. 60.
2. Indentures of clerkship so stamped may be enrolled within two months. Same act, s. 2.
3. From Nov. 1, 1797, attorneys, &c. of the courts at *Westminster*, &c. shall between Nov. 1, and the end of *Michaelmas* term, annually deliver at the head office for stamps a note, containing his name and place of abode, in order to obtain a certificate. Chap. 90. s. 26.
4. To indemnify attorneys, &c. who have omitted to obtain their certificates of enrolment, admission or registry in the several courts of this kingdom. Chap. 93.

Auctions.

Additional duties of excise on auctions.

For every 20*s.* of the s. d. purchase money of any sale at auction of lands, houses, &c.

The like of furniture,
fixtures, books, horses, car-
riages and other goods. s. d.

o 3

B.

Bahama Islands.

4,100*l.* for the civil establishment
there. Chap. 144.

Bank of England.

1. Bank of England may issue pro-
missory notes under 5*l.* Chap. 28.
2. See *Cash.* Chap. 45.
3. See *Consolidated Fund.* Chap. 144.

Bank of Scotland.

See *Cash.* Chap. 45.

Bankrupts.

To make perpetual an act to pre-
vent the committing of frauds by
bankrupts. Chap. 124.

Barmouth.

See *Harbours.* Chap. 50.

Barracks.

1. 288,000*l.* outstanding demands
for the barrack department. Chap.
144.
2. 449,000*l.* for forage and other
expences. Same act.

Bermuda.

580*l.* to the chief justice of *Bermuda*
or *Somers Islands.* Chap. 144.

Bills of Exchange.

See *Stamps.* Chap. 90.

See *India (East) Company.* Chap.
142.

Bonds.

See *Stamps.* Chap. 19.

Bread..

To amend act 31 Geo. 2*c.* 29.
so far as the same relates to the
assize and making of bread sold in
the city of *London*, and the liberties
thereof, and within the weekly bills
of mortality, and ten miles of the
Royal Exchange. Chap. 98.

Bricks.

Additional duty of excise s. d.
on bricks.

1. For every thousand of
bricks. Chap. 14. i o
2. See *Drawbacks,* Chap. 14.
Additional duty of customs
on bricks.
3. For every thousand of
bricks imported. 3 7

Bridges.

1. To amend an act for building a
bridge across the river *Wye*, be-
tween *Whitney* and *Clifford*, in
Herefordshire. Chap. 56.
2. For repairing or rebuilding the
bridge over the river *Severn*, in
Bridgnorth, Salop. Chap. 58.
3. For building a bridge over *Bur-
fledon* river, in the county of *Sou-
thampton.* Chap. 131.

Bridgnorth, Salop.

See *Bridges.* Chap. 58.

Bursledon River.

See *Bridges.* Chap. 131.
k k 3 Calcutta

C.

Calcutta.

SEE India (East) Company. Chap. 142.

Cambricks.

For prohibiting the importation of cambricks and French lawns not being of the manufacture of Ireland, except for the purpose of being warehoused for exportation. Chap. 72.

Canada, Upper.

7000l. for the civil establishment there. Chap. 144.

Canals, Navigable.

1. To enable the company of proprietors of the Dudley canal navigation to raise a further sum of money for completing the said navigation. Chap. 13.
2. For making and maintaining a navigable canal from Guinea Port, in the parish of St. Breock in Cornwall, to Dunmeer Bridge, in the parish of Bodmin, and a collateral cut from Cotton Wood, near Rutherford Bridge, in the said parish of Bodmin. Chap. 29.
3. To enable the company of proprietors of the Grantham canal navigation to finish the same. Chap. 30.
4. To enable the company of proprietors of the navigation from the Trent to the Mersey, to make a navigable canal from the Caldon canal near Endon to Leek, in the county of Stafford, and a reservoir. Chap. 36.
5. To enable the company of proprietors of the Leicester navigation to finish and complete their several works, and discharge the debts

Cap

contracted in making thereof. Chap. 51.

6. To authorise the company of proprietors of the Gloucester and Berkeley canal navigation to vary the line of the said canal. Chap. 54.
7. To enable the company of proprietors of the navigation from the Trent to the Mersey, to extend several branches of canal from and out of their said navigation. Chap. 81.
8. For extending the Monmouthshire canal navigation. Chap. 100.

Cape Breton, Island of.

1,840l. for the civil establishment there. Chap. 144.

Cape of Good Hope.

1. His Majesty in council may make regulations respecting the trade and commerce to and from the Cape of Good Hope. Chap. 21.
2. Goods, &c. imported or exported contrary to orders in council forfeited. Same act, s. 2.

Carron Company.

Carron company may issue notes payable to bearer on demand under 20s. Chap. 62.

Cash.

1. For confirming and continuing the restriction contained in the minute of council of Feb. 26, 1797, on payments of cash by the bank, and the bank indemnified. Chap. 45. 91.
2. The bank not to issue cash but according to certain provisions, nor advance more than 600,000l. for the publick service, during the restriction. Chap. 45. s. 4.
3. The bank may advance to the bankers of London, &c. 100,000l. in cash, and to the bank of Scotland,

- land, and royal bank of Scotland, 25,000*l.* each. Same act, s. 6.
 4. No person to be held to special bail, unless affidavit be made that there had been no offer to pay in bank notes, and collectors of the publick revenue to accept it in bank notes. Same act, s. 9.

Cavalry.

1. For enabling his Majesty to raise a provisional force of cavalry, to be embodied in case of necessity, for the defence of these kingdoms. Chap. 6.
 2. To explain and amend the above act. Chap. 23.
 3. For allowing time to Oct. 1, for carrying into execution these acts. Chap. 139.
 4. 30,000*l.* for volunteer cavalry. Chap. 144.

Certificates.

See *Attornies.* Chap. 93.

Chelsea Hospital.

147,165*l.* 10*s.* 11*d.* for *Chelsea Hospital.* Chap. 144.

Christ Church, Middlesex.

See *Poor.* Chap. 79.

Churches.

1. For building a new chapel at *Plymouth Dock.* Chap. 43.
 2. For rebuilding the parish church of *Milbrooke* in *Hampshire*, and for enlarging the church yard. Chap. 55.

Clocks and Watches.

1. The following duties on clocks
 s. d.
 For every clock - - 5 0

For every gold watch, or enameled on gold	<i>s. d.</i>	10 0
For every silver or metal watch	- - -	2 6
Chap. 108.		
2. Housekeepers to make out lists, and sign declarations in fourteen days after notice, and a penalty of 10 <i>l.</i> for not delivering lists and declarations. Same act, s. 16.		
3. After Oct. 10, 1797, a penalty of 10 <i>l.</i> for having clocks or watches, and not having declared the same. Same act, s. 17.		
4. Duties not to extend to householders, exempted from the duties on windows and houses, for one clock or watch, nor to occupiers of houses, not rateable at more than ten windows, for clocks not worth more than 20 <i>s.</i> Same act, s. 21.		
5. Duties not to extend to the royal family, or ambassadors, or hospitals, churches, &c, nor to certain husbandmen, nor soldiers, marines, or sailors. Same act, s. 23.		
6. Makers and dealers in clocks and watches to take out a licence, and pay annually within the bills of mortality 2 <i>s.</i> 6 <i>d.</i> and without 1 <i>s.</i> Same act, s. 26.		
<i>Cocoa Nuts.</i>		
Additional duties of excise on cocoa nuts.		
For cocoa nuts the growth or produce of any British colony or plantation in America, imported into Great Britain, and delivered out of the warehouse for home consumption after Dec. 7, 1796,	<i>s. d.</i>	0 9
For cocoa nuts, the growth or produce of any other place,	- - -	2 6
Chap. 14.		
<i>Coin.</i>		

Coin.

To prevent the counterfeiting any copper coin made current by proclamation, or any foreign gold or silver coin, and to prevent the bringing into this realm, or uttering any counterfeit foreign gold or silver coin. Chap. 126.

Coiners.

1. 1,461*l.* 15*s.* 6*d.* for prosecution of coiners. Chap. 144.
2. 1,800*l.* more for the same. Same act.

Commissioners.

See Land Tax. Chap. 35..

Commons, House of.

See Postage of Letters. Chap. 141.

Consolidated Fund.

1. 1,054,000*l.* to repay advances of the bank on the consolidated fund for 1795. Chap. 144.
2. 2,177,000*l.* to make good the sum charged on the consolidated fund by an act of last session. Same act.
3. 2,000,000*l.* may be issued out of the consolidated fund. Chap. 144.

Convicts.

1. 9,186*l.* 2*s.* 4*d.* for convicts on the river Thames. Chap. 144.
2. 3,033*l.* 4*s.* more for the same. Same act.
3. 13,492*l.* 2*s.* 11*d.* for convicts in Langstone and Portsmouth harbours. Same act.
4. 9,628*l.* 12*s.* 6*d.* more for the same. Same act.
5. 32,000*l.* for employing convicts at home. Same act.

Corn.

1. To prohibit the exportation of corn, meal, flour, and potatoes, and permit the importation of corn and provisions duty free, continued. Chap. 7.

2. No wheat, &c. to be exported until six weeks after the commencement of next session of parliament; and foreign corn, &c. may be imported duty free, and taken out of warehouses for home consumption; and persons exporting corn, &c. liable to the penalties of 31 Geo. 3. c. 30. and 33 Geo. 3. c. 65. Same act, s. 1.
3. His Majesty in council may permit the carrying coastwise, &c. corn, &c. for the purposes in the said acts, and certain articles may be imported, duty free, from any place in British vessels, belonging to places in amity with his Majesty. Same act, s. 2.
4. To repeal so much of an act, passed in this session of parliament, as relates to importation, exportation, and carrying coastwise of barley, oats, &c. Chap. 83.

County Rate.

For empowering the justices of the peace for the county of Middlesex, at their general or quarter sessions of the peace, to make a fair and equal county rate for the said county. Chap. 65.

Courts Martial.

See Naval Courts Martial. Chap. 140.

Customs.

1. Additional duties of customs on sugar.

Brown and Muscovado sugar of the British plantations im- ported after Dec. 7, 1796, per hundred weight - - -	s. d.	2 6
Sugar imported by the East India company - - -		2 6
All other sugar imported, per hundred weight - - -		5 0
Chap. 15.		
2. An additional duty of 5 <i>l.</i> per cent. on the amount of the duties of cus- toms on goods imported, export- ed, or carried coastwise, except wine and coals. Same act, s. 7.		
3. An additional duty of 10 <i>l.</i> per cent. on the amount of the duties of customs on the importation of brimstone, hemp, iron in bars, or unwrought, and staves. Same act, s. 7.		
4. From July 18, 1797, an addi- tional duty of customs of 3 <i>d.</i> per pound on pepper. Chap. 110.		

D.

Debtors.

1. FROM July 5, 1797, debtors' weekly allowances by creditors to be 3*s.* 6*d.* and where more creditors than one insist on a debtor's detention, they are each to pay him 2*s.* weekly. Chap. 85.
2. See *Insolvent Debtors*. Chap. 112.

Deeds.

See *Stamps*. Chap. 19.

Discounts.

For allowing certain discounts to the contributors of eighteen millions, raised by annuities, by an act of the present session of parliament. Chap. 82.

Distilleries.

1. An additional duty on licences granted after July 5, 1797, for erecting stills in the highlands of Scotland, within the limits specified in 33 Geo. 3. c. 61. (except as in this act specified) for each gallon of the contents, where barley, &c. is used, 6*l.* 10*s.* per annum. Chap. 102.
2. For each gallon distilled above the quantity limited by this act, 4*s.* 4*d.* Same act.
3. On licences granted for stills in the parts specified in this act, for each gallon, 4*l.* per annum. Same act.

Dominica.

600*l.* to the chief justice of the island of Dominica. Chap. 144.

Doughty, Elizabeth.

See *Paving*. Chap. 80.

Draining.

1. To embank and drain the open and unembanked lands and grounds, lying between the dales Head Dyke, and the river Witham, in Walcot, Timberland-Thorpe, Timberland, Martin, Linwood, and Blankney, in the county of Lincoln. Chap. 67.
2. For charging the fen lands and low grounds in the bounds and precincts of Whittlesey, in the isle of Ely, with taxes, and for improving and preserving the drainage of the said lands and grounds. Chap. 68.
3. To alter and amend an act for draining and preservation of Waterbeach level, in Cambridgeshire, and to establish an agreement between

tween the lord of the manor of Waterbeach cum Denny, and the commoners within the said manor; and also to raise a further sum of money for the improvement and security of the said level. Chap. 88.

4. To amend and render more effectual an act for draining and preserving certain fen lands and low grounds in the isle of Ely, and Suffolk and Norfolk. Chap. 89.
5. To amend an act for the effectual draining and preservation of Haddenham level in the isle of Ely. Chap. 56.

Drawbacks.

1. For bricks made in Great Britain, and exported, a drawback of the duty imposed by this act. Chap. 14.
2. For tea exported to Ireland, or his Majesty's plantations in America, a drawback of the duty imposed by this act. Same act.
3. On brown and Muscovado sugar of the British plantations, imported after Dec. 7, 1796, a drawback of the duty imposed by this act to be allowed on exportation. Chap. 15. s. 3.
4. On bastard sugar, &c. an additional drawback of 2s. 6d. per hundred weight on exportation. Same act, s. 4.
5. On refined sugar an additional drawback of 4s. per hundred weight on exportation. Same act, s. 5.

E.

East India Company.

SEE *India (East) Company.*

Emperor of Germany.

500,000l.—200,000l. & 920,000l. for loans to the emperor of Germany. Chap. 144.

Exchequer Bills.

1. See *Annuities.* Chap. 9. 20.
2. The treasury may raise 3,500,000l. by loans or exchequer bills, for the service of the year 1797. Chap. 114.
3. 1,110,000l. for discharging exchequer bills. Chap. 144.
4. 1,370,000l. to pay exchequer bills issued on the credit of the consolidated fund for 1796. Same act.
5. 833,000l. to pay off exchequer bills. Same act:

Excise.

See *Auctions.* Chap. 14. See *Bricks.* Same act. See *Cocoa Nuts.* Same act. See *Spirits.* Same act. See *Tea.* Same act.

Eyemouth.

See *Harbours.* Chap. 49.

F.

Fencible Cavalry.

1. 397,734l. 4s. 2d. for fencible cavalry. Chap. 144.
2. 95,000l. for allowances and extra feed to them. Same act.

Fife, County of.

For regulating and converting the statute labour in the county of Fife, and making and repairing the highways in the said county. Chap. 52.

Fisheries.

1. For altering and amending two acts

- acts for the regulation and improvement of the fisheries in the river Tweed. Chap. 48.
2. To continue an act for the encouragement of the Pilchard fishery. Chap. 94.
 3. To amend two acts for the preservation of salmon and other fish in the rivers within the counties of Southampton and Wilts. Chap. 95.
 4. To continue bounties for encouraging the fisheries at Newfoundland. Chap. 90.
 5. To explain act 35 Geo. 3. c. 92. for encouraging and regulating the southern whale-fisheries. Chap. 121.

Flax and Flax Seed

May be imported in any vessel belonging to states in amity with his Majesty, until thirty days after the commencement of next session of parliament. Chap. 8.

Fleet Prison.

4,515. 8s. 1 $\frac{1}{4}$ d. for repairs of the Fleet Prison. Chap. 114.

France.

1. 140,090l. for the refugee clergy and laity of France. Chap. 144.
2. 31,000l. more for the same. Same act.
3. 189,000l. more for the same. Same act.

French Lawns.

See *Cambricks.* Chap. 72.

G.

Germany, Emperor of.

FOR guaranteeing the payment of the dividends on a loan of 1,620,000l. to the emperor of Ger-

many, and the regular redemption of the capital; for enabling the bank of England to retain the sums granted for repaying advances made by them for the publick service, and for repaying to the contributors to the loans of 14,500,000l. and 1,620,000l. the excess of their deposits beyond the proportional deposits to the said loans. Chap. 59.

Glass.

To continue an act for better securing the duties on glass. Chap. 99.

Gloucester and Berkeley Canal.

See *Canals, Navigable.* Chap. 54.

Gold Coin.

See *Coin.* Chap. 126.

Gold Plate.

From July 5, 1797, an additional duty on gold plate imported or made in Great Britain of 8s. an ounce. Chap. 90, s. 16.

Great Tower Hill.

See *Paving.* Chap. 87.

Grenada, Island of.

1. For granting further relief to persons connected with and trading to the islands of Grenada and Saint Vincents. Chap. 27.
2. 600,000l. for persons connected with the islands of Grenada and Saint Vincents. Chap. 144.

Guernsey.

To permit the exportation of an additional quantity of wheat, flour, barley, &c. to the islands of Guernsey, Jersey and Alderney. Chap. 125.

Harbours

H.

Harbours.

1. FOR repairing, improving, and maintaining the harbour of *Eyemouth*, in *Berwickshire*. Chap. 49.
2. For repairing, deepening, enlarging and preserving the harbour of *Barmouth* in *Merionethshire*. Chap. 50.
3. For amending an act for the maintenance and improvement of the harbour of *Ramsgate*, in *Kent*, and for cleaning, amending and preserving the haven of *Sandwich* in the same county. Chap. 86.
4. For enlarging and improving the harbour of *Aberdeen*, for building new quays, wharfs and docks, and for making new roads and passages to and from the said harbour. Chap. 101.
5. For discontinuing the new harbour of *Rye* in *Sussex*, and for repealing several acts relating thereto, and for improvement of the old harbour of *Rye*. Chap. 130.
6. For enlarging, deepening, improving and maintaining the harbour of *Saltecoats*, in the county of *Ayr*. Chap. 132.

Hastings, Warren.

2,806/. 8s. for expences in prosecution of him. Chap. 144.

Highways.

See *Fife, County of*. Chap. 52.

Horses.

1. An additional duty of 3s. a year for horses and mules, chargeable under 36 Geo. 3. c. 15. and 20l. per cent on the amount of the duty. Chap. 106.

Hou

2. From July 5, 1797, an additional duty of 5s. for each horse kept above one, for riding or drawing coaches, &c. and 20l. per cent. on the amount of the duty. Chap. 134.

Houses.

An additional duty on inhabited houses, *viz.*

For houses rated at less than £. s. d.	7 Windows	-	-	0	1	0
For 7	-	-	-	0	2	0
8	-	-	-	0	2	0
9	-	-	-	0	3	0
10	-	-	-	0	4	0
11	-	-	-	0	4	6
12	-	-	-	0	5	6
13	-	-	-	0	6	6
14	-	-	-	0	7	6
15	-	-	-	0	9	0
16	-	-	-	0	10	0
17	-	-	-	0	11	6
18	-	-	-	0	12	6
19	-	-	-	0	13	6
20	-	-	-	0	15	0
21	-	-	-	0	16	0
22	-	-	-	0	17	0
23	-	-	-	0	18	6
24	-	-	-	1	1	0
25 to 29	-	-	-	1	3	0
30 to 34	-	-	-	1	6	6
35 to 39	-	-	-	1	10	6
40 to 44	-	-	-	1	15	0
45 to 49	-	-	-	2	0	0
50 to 54	-	-	-	2	5	0
55 to 59	-	-	-	2	10	0
60 to 64	-	-	-	2	15	0
65 to 69	-	-	-	3	0	0
70 to 74	-	-	-	3	5	0
75 to 79	-	-	-	3	10	0
80 to 84	-	-	-	3	15	0
85 to 89	-	-	-	4	0	0
90 to 94	-	-	-	4	5	0
95 to 99	-	-	-	4	10	0
100 to 109	-	-	-	5	0	0
110 to 119	-	-	-	5	10	0
120 to 129	-	-	-	6	0	0
130 to 139	-	-	-	6	10	0
				140	to	

140 to 149	-	7	0	0
150 to 159	-	7	10	0
160 to 169	-	8	5	0
170 to 179	-	9	0	0
180 and upwards	-	10	0	0

Duties to be liable to addition of 20*l.* per cent. on the amount of the duty. Chap. 105.

First assessment to be for three quarters of a year, from July 5, 1797, and afterwards for a year. Same act, s. 6.

I.

Jersey.

SEE Guernsey. Chap. 125.

Indentures.

See Stamps. Chap. 19.

India (East) Company.

1. The East India company may, with consent of the treasury, add 2,000,000*l.* to their capital stock. Chap. 31.
2. To enable the East India company to pay the expences of two regiments of infantry volunteers, to be raised for the defence and protection of the house and warehouses of the said company. Chap. 74.
3. For regulating the trade to be carried on with the British possessions in India, by the ships of nations in amity with his Majesty. Chap. 117.
4. For the better administration of justice at Calcutta, Madras and Bombay, and for preventing British subjects from being concerned in loans to the native princes in India. Chap. 142.

Insolvent Debtors.

1. For the relief of insolvent debtors. Chap. 112.

2. Gaolers to make out lists of prisoners, who, on Jan. 1, 1797, were in custody for debt, and deliver them at the quarter sessions, and lists to be kept by clerks of the peace, which may be examined gratis, and three copies of lists to be fixed up in each prison. Chap. 112, s. 2.
3. Prisoners for debts under 1,200*l.* conforming to this act, to be discharged. Same act, s. 4.
4. Justices, on petition of any prisoner delivering a schedule of his estate, may issue their warrant for bringing him to the quarter sessions, and schedules to remain with the clerk of the peace, for inspection of creditors. Same act, s. 5.
5. Debtors intending to apply for their discharge, to give previous notice three times in the Gazette, and deliver schedules to the gaoler previous to the first notice; debtors applying at the sessions, proving notices were duly inserted, &c. shall in open court deliver in signed schedules, and make oath as mentioned in the act; and the schedule and oath to be subscribed in court, and remain with the clerk of the peace, for perusal of creditors, and debtor's oath not being disproved, the court to order his discharge. Same act, s. 8.
6. Estate and effects of discharged debtors vested in the clerk of the peace, who is to assign the same to such creditor, as the court shall direct, and assignees to get in effects, and sell them, and make a dividend in three months; but thirty days notice of making dividend to be given. Same act, s. 12.
7. Estates of debtors not inserted in schedules to be vested in the clerk of the peace, and schedule to be produced by clerks of the peace to creditors, and signed copies to be evidence, and refusing to produce schedules

- schedules to forfeit 10*l.* and treble costs. Chap. 112. s. 15.
8. Assignees to compound with lords of manors for copyhold or customary estates, and debtor's right only to be affected by this act, and mortgages to take place of claims of an inferior nature, and power of leasing lands vested in assignees. Same act, s. 20.
9. The acting gaoler, at the time of delivering lists, to be the person sworn, and the court at request of creditors may examine gaolers on oath, touching commitments, and 100*l.* penalty on gaolers, &c. disobeying orders of court, &c. and gaolers and printer of the *Gazette*, not complying with the regulations of this act, to forfeit 100*l.* and 500*l.* penalty on gaolers perjuring themselves. Same act, s. 24.
10. 20*l.* penalty on clerks of the peace refusing to give copies of adjudications of discharge, &c. Same act, s. 29.
11. Debtors forswearing themselves to be deemed guilty of perjury, and debtors discharged by this act not liable to imprisonment for debts prior to Jan. 1, 1797, but prisoners, who on application as insolvent debtors, have been remanded back, &c. and discharged without their consent, intitled to the benefit of this act, and this act may be pleaded to any action of escape. Same act, s. 30.
12. Attorneys receiving money for their clients or servants, &c. embezzling their master's money, or persons obtaining goods, &c. by false pretences, or fraudulently removing goods within six years, liable to rent, or any person having sold or assigned any part of his estate or effects, after being in custody, to defraud his creditors, to lose the benefit of this act. Same act, s. 36.
13. Gaolers to permit prisoners to be spoken with, on penalty of 40*l.* and gaolers making false entries to forfeit 500*l.* Chap. 112. s. 40.
14. Debtors refusing to discover the trade and abode of the person at whose suit detained, &c. to be excluded the benefit of this act. Same act, s. 42.
15. Justices may hold a session for discharge of prisoners near the county gaol, and justices for the district of *Holland*, in *Lincolnshire*, may adjourn near the county gaol, and for *Surrey*, justices may adjourn to *Southwark*. Same act, s. 43.
16. Prisoners in custody for fees to be discharged, but this act not to extend to debtors to the crown or revenue. Same act, s. 46.
17. Determination of justices to be final, unless the prisoner get rid of the objection, and prisoners seized of estates tail to deliver them up; assignees may apply for the further examination of debtors, and twenty pounds *per cent.* for discovering any part of debtor's estate not comprised in the schedule, and discharge obtained fraudulently void, and assignees with consent of creditors may compound for debts, and submit disputes to arbitration, and one hundred pounds penalty for concealing estates of debtors; and if assignees die, others may be appointed, and courts at *Westminster*, on complaint against assignees, may remove them, and where mutual credit has been given, the balance to be stated. Same act, s. 48.
18. Prisoners for non-payment of costs, or on process of courts of conscience, entitled to the benefit of this act. Same act, s. 58.
19. Quaker's affirmation to be taken, but this act not to extend to *Scotland*. Same act, s. 60.

Insurances.

1. From July 5, 1797, an additional duty of 6d. per cent. on insurances from loss by fire Chap. 90. s. 19.
s. d.
2. Policies of insurance under 1,000l. 3 0
- 3.—for 1,000l. and upwards 6 0
Same act, s. 24.

Ireland.

1. For making certain annuities created by the parliament of Ireland transferrable, and the dividends payable at the bank of England, and for security of the proprietors and governor and company of the bank of England. Chap. 46.
2. 1,500,000l. for loan to Ireland. Chap. 144.

Journals.

1. 7,000l. for printing journals of the house of commons. Chap. 144.
2. 869l. 19s. for index to the lords journal. Same act.

K.

Kent, County of.

KFOR revesting lands &c. in the county of Kent, in the former proprietors thereof. Chap. 66.

King's Bench Prison.

5,672l. 3s. 3 $\frac{1}{4}$ d. for repairs of the King's Bench Prison. Chap. 144.

L.

Land Forces.

1. 15,488,089l. 2s. 10d. for land forces in 1797. Chap. 144.

2. 1,505,905l. 1s. for 60,765 effective men, officers, &c. in Great Britain, Jersey and Guernsey. Chap. 144.
3. 1,411,231l. 19s. 5d. for forces in the plantations, Gibraltar, Corsica, Cape of Good Hope and New South Wales. Same act.
4. 40,096l. 9s. 9d. for difference between British and Irish pay of six regiments abroad. Same act.
5. 13,335l. 18s. for recruiting regiments in East India. Same act.
6. 360,000l. for recruiting contingencies, &c. Same act.
7. 94,195l. 14s. for general, staff, and hospital officers in Great Britain, &c. Same act.
8. 70,000l. for horse furniture and cloathing to augmentations of the forces in 1796. Same act.
9. 7,500l. for allowances to reduced officers of the British American forces, and 52,500l. on account of them. Same act.
10. 125l. 3s. 4d. for reduced and superannuated gentlemen of the horse guards. Same act.
11. 118,874l. 16s. 8d. for reduced officers of land forces and marines. Same act.
12. 180,000l. for quartering soldiers. Same act.
13. 136,675l. 14s. 3d. for supernumerary officers. Same act.
14. 1,000l. for officers late in the service of the states general. Same act.
15. 136,779l. 17s. 1d. to the paymaster general, secretary at war, &c. Same act.
16. 11,602l. 7s. 3d. for widows' pensions. Same act.
17. 224,000l. for additional pay to non-commissioned officers and privates of the land forces. Same act.
18. 60,000l. for allowances to subalterns, &c. of the land forces. Same act.
19. 381,637l. 17s. for foreign corps. Same act.
20. 3,280,513l

20. 3,280,513*l.* 13*s.* 2*d.* for extraordinarys of the army, from Dec. 25, 1795, to Dec. 6, 1796. Chap. 144.
21. 106,962*l.* 13*s.* 4*d.* for the same, from Dec. 7, to Dec. 24, 1796. Same act.
22. 438,000*l.* for the same, previous to Jan. 5, 1797. Same act.
23. 4,000,000*l.* for the same, for 1797. Same act.

Land Tax.

1. For 1797, to be 4*s.* in the pound. Chap. 2.
2. For appointing commissioners to put in execution the land tax act. Chap. 35.
3. For assessing the commissioners of the tax office and their officers to the land tax in the district called offices, executed in Westminster Hall. Chap. 128.

Leases.

See *Stamps.* Chap. 19.

Legacies.

To explain and amend act 36 Geo. 3. c. 52. s. 32. respecting legacies. Chap. 135.

Leicester Canal.

See *Canals, Navigable.* Chap. 51.

Letters.

See *Postage of Letters.* Chap. 18. 141.

Licences.

See *Distilleries.* Chap. 102.

Liverpool.

For the regulation and encouragement of pilots conducting ships in and out of the port of Liverpool. Chap. 78.

Lottery.

646,250*l.* to be raised by a lottery, tickets at 1*l.* 15*s.* each, and 500,000*l.* to be paid in prizes on July 1, 1798. Chap. 113.

M.

Macklin, Thomas.

FOR enabling Thomas Macklin to dispose of his collection of modern paintings, as now exhibited at his gallery in Fleet Street, by way of chance. Chap. 133.

Madras.

See *India (East) Company.* Chap. 142.

Maidstone Geneva.

To permit messrs. *Bisbop* to make *Maidstone Geneva*, until July 5, 1799, subject to the present duties. Chap. 99.

Malt.

Duties on malt, mum, cyder, and perry, continued for the service of the year 1797. Chap. 1.

Marines

Regulated while on shore. Chap. 34.

Melcombe Regis, Dorsetshire.

See *Weymouth.* Chap. 129.

Milbrooke, Hampshire.

See *Churches.* Chap. 55.

Militia.

1. For providing an augmentation to the militia, to be trained and exercised, and for enabling his Majesty

to cause the same to be embodied in case of necessity, for the defence of these kingdoms. Chap. 3.

2. To explain and amend the above act. Chap. 22.
3. For better raising and ordering the militia forces of the *Tower Hamlets*, in the county of *Middlesex*. Chap. 25.
4. For defraying the charge of pay and cloathing of the militia for the year 1797. Chap. 38.
5. To enable his Majesty to embody the *Tower Hamlets* militia. Chap. 75.
6. To raise and embody a militia force in *Scotland*. Chap. 103.
7. For making allowances to sub-altern officers of the militia in time of peace. Chap. 116.
8. 950,441*l.* 3*s.* 6*d.* for militia and fencible infantry, and 210,000*l.* for their contingencies. Chap. 144.
9. 112,811*l.* for militia cloathing. Same act.
10. 177,000*l.* for pay and cloathing of militia. Same act.

Middlesex.

See *County Rate*. Chap. 65.

Mules.

See *Horses*. Chap. 106.

Mutiny.

1. For punishing mutiny and desertion, and for the better payment of the army and their quarters. Chap. 33.
2. Any person who shall attempt to seduce any sailor or soldier from his duty, or incite him to mutiny, &c. on conviction to suffer death. Chap. 70.
3. For more effectually restraining intercourse with the crews of certain of his Majesty's ships now in a state of mutiny and rebellion, and Vol. XLI.

for the more effectual suppression of such mutiny and rebellion. Chap. 71.

N.

National Debt.

200,000*l.* towards the reduction of the national debt. Chap. 115. 144.

Naval Courts Martial.

To enable his Majesty more easily and effectually to grant conditional pardons to persons under sentence by naval courts martial, and to regulate imprisonment under such sentences. Chap. 140.

Naval Services.

8,033,673*l.* 1*s.* 7*d.* for naval services for 1797. Chap. 144.

Navigable Canals.

See *Canals*, *Navigable*.

Navy.

1. For raising men in the several counties in *England* for the navy. Chap. 4. 24.
2. For raising men in the several counties, &c. in *Scotland* for the navy. Chap. 5. 39.
3. 372,000*l.* granted to his Majesty for increase of pay and allowance to seamen and marines. Chap. 53.
4. Seamen and marines wounded to receive their wages and allowances until their wounds are healed. Same act, s. 2.

Navy Bills.

1. See *Annuities*. Chap. 9. 20.
2. Navy bills after passing this act to be made payable not later than three

5th

New

three months after date. Chap.

26.

Navy Debt.

5,000,000l. for discharging the navy debt. Chap. 144.

Negroes.

To repeal so much of an act, for the more easy recovery of debts in his Majesty's plantations and colonies in America, as makes negroes chattels for the payment of debts. Chap. 119.

Neutral Ships.

To continue several acts respecting the admission of certain articles of merchandize in neutral ships, and the issuing of orders in council for that purpose. Chap. 12.

New Brunswick.

4,550l. for the civil establishment there. Chap. 144.

Newfoundland.

1. See Fisheries. Chap. 99.
2. 1,232l. 10s. for the civil establishment there. Chap. 144.
3. 693l. 15s. for the chief justice of Newfoundland. Same act.

New South Wales.

1. 5,523l. 10s. for the civil establishment there. Chap. 144.
2. 31,825l. 14s. Id. for the settlement at New South Wales. Same act.
3. 30,000l. more for the same. Same act.

Newspapers.

From July 5, 1797 an additional duty of one penny-halfpenny a newspaper. Chap. 90. s. 2.

Oat

Northampton.

See Paving. Chap. 42.

North Britain.

4,500l. for roads and bridges in North Britain. Chap. 144.

Notes.

1. Acts 15 Geo. 3. c. 15. and 17 Geo. 3. c. 30. so far as they relate to making void notes under five pounds payable to bearer, suspended until May 1, 1797. Chap. 32.
2. If notes are not paid within three days after demand, a justice may order payment with costs, and on neglect may cause the same to be levied by distress. Same act, s. 3.
3. Time allowed for payment of notes to be seven days, and c. 32. of this session continued to July 8, 1797. Chap. 61.
4. Chapters 32 and 61 of this session continued until six weeks after the commencement of next session of parliament. Chap. 120.
5. The bank of Scotland, &c. may issue notes payable to bearer on demand under twenty shillings. Chap. 40.
6. Persons in Scotland who have issued notes under twenty shillings prior to passing this act indemnified. Same act, s. 2.
7. Chapters 40 and 62 of this session continued until thirty days after the commencement of next session of parliament. Chap. 137.

Nova Scotia.

5,915l. for the civil establishment there. Chap. 144.

O.

Oaths.

FOR preventing the administering or taking of unlawful oaths. Chap. 123.

Order

Pav

Order in Council.

1. See Neutral Ships. Chap. 12.
2. See Cash. Chap. 45.

Ordnance.

1. 1,009,024*l.* 9*s.* 2*d.* for land service of ordnance for 1797. Chap. 144.
2. 114,553*l.* 19*s.* 9*d.* for the same in 1795. Same act.
3. 74,830*l.* 0*s.* 3*d.* for sea service of ordnance in 1795. Same act.
4. 425,366*l.* 10*s.* 6*d.* for land service of ordnance in 1796. Same act.

P.

Parliament.

1. To shorten the time now required of notice for the meeting of parliament, and to provide for the meeting of parliament in case of a demise of the crown. Chap. 127.
2. To amend an act for securing the freedom of election of members to serve in parliament, by extending the provisions thereof to persons voting in any meeting of freeholders for preses or clerk in Scotland, &c. Chap. 138.

Paving.

1. For altering and amending act 18 Geo. 3. for paving, &c. Northampton. Chap. 42.
2. For amending act 33 Geo. 3. for paving, &c. Ipswich. Chap. 44.
3. For paving, cleansing, lighting, and watching all streets which shall be made upon a piece of ground belonging to Elizabeth Doughty, in the parish of St. Pancras, Middlesex. Chap. 80.
4. For paving, lighting, watching,

Pof

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cleansing, watering, improving, and keeping in repair Great Tower Hill. Chap. 87.

Pilchards.

See Fisheries. Chap. 94.

Pilots.

See Liverpool. Chap. 78.

Plymouth Dock.

See Churches. Chap. 43.

Poor.

For amending and rendering more effectual several acts relating to the poor of the parish of Christ Church, Middlesex. Chap. 79.

Portugal, Queen of.

500,000. for the queen of Portugal. Chap. 144.

Postage of Letters.

In England.

For letters carried by the s. & post any distance, not exceeding 15 miles single 0 3
double 0 6
treble 0 9
one ounce 1 0

Above 15 miles, and not exceeding 30 miles, single 0 4
double 0 8
treble 1 0
one ounce 1 4

Above 30 miles, and not exceeding 60 miles, single 0 5
double 0 10
treble 1 3
one ounce 1 8

Above 60 miles, and not exceeding 100 miles, single 0 6
double 1 0
treble 1 6
one ounce 2 0

Above

Above 100 miles, and not exceeding 150 miles, single	s.	d.
double	0	7
treble	1	2
one ounce	1	9
150 miles or upwards, single	2	4
double	0	8
treble	1	4
one ounce	2	0
	2	8

Qualifications.

AC T of qualifications for offices. Chap. 11.

*In Scotland.**Additional rates for postage*

of letters, single	0	1
double	0	2
treble	0	3
one ounce	0	4

Ramsgate, Kent.

SEE *Harbours.* Chap. 86.

Rate.

See *County Rate.* Chap. 65.

From Great Britain to Por-

<i>tugal,</i> single letters	1	0
double	2	0
treble	3	0
one ounce	4	0

Rye Suffex.

See *Harbours.* Chap. 130.

Sail Cloth.

FROM July 5, 1797, no bounty to be allowed on the exportation of British sail cloth or canvas to Ireland. Chap. 76.

Saint John, Island of.

1,900*l.* for the civil establishment there. Chap. 144.

Saint Vincents, Island of.

See *Grenada, Island of.* Chap. 144.

Saltcoats, Ayrshire.

See *Harbours.* Chap. 132.

Sandwich, Kent.

See *Harbours.* Chap. 86.
Scotland.

Princess Royal.

80,000*l.* for the portion of the princess royal. Chap. 144.

Scotland.

See *Army*. Chap. 5. 39. See *Navy*. Chap. 5. 39. See *Stills*. Chap. 17. See *Notes*. Chap. 40. 62. 137. See *Distilleries*. Chap. 102. See *Militia*. Chap. 103. See *Parliament*. Chap. 138.

Seamen.

1. See *Mutiny*. Chap. 70.
2. To amend act 33 Geo 3. c. 66. for the encouragement of seamen, and for the better and more effectually manning the navy. Chap. 109.

Servants.

An additional duty on male servants.	£.	s.
For two each	0	10
For three or four, each	0	15
For more than four, each	1	0
Chap. 107.		

Service abroad.

1. 71,431*l.* 5*s.* 11*1*/*4**d.* for his Majesty's service abroad. Chap. 144.
2. 1,345*l.* 19*s.* 3*d.* more for the same. Same act.
3. 150,000*l.* for secret service abroad. Same act.

Ships.

For granting to foreign ships, put under his Majesty's protection, the privileges of prize ships, under regulations. Chap. 63.

Silk.

Organzined thrown silk may be imported in ships belonging to any kingdom in amity with his Majesty, until thirty days after the commencement of next session of parliament. Chap. 8.

Silver Coin.

See *Coin*. Chap. 126.

Silver Plate.

From July 5, 1797, an additional duty on silver plate imported or made in Great Britain of 6*d.* an ounce. Chap. 90. s. 16.

Slaves.

1. For regulating the shipping of slaves in British vessels from the coast of Africa. Chap. 104.
2. For regulating the height between decks of vessels entered outwards for carrying slaves from the coast of Africa. Chap. 118.

Soldiers.

1. Non-commissioned officers and soldiers to allow 10*d.* a day, for diet and small beer in quarters in England, and for articles which have been furnished gratis in lieu thereof, 2*d.* a day to be allowed. Chap. 41.
2. For horses quartered, 10*1*/*2**d.* a day, for hay and straw. Same act. s. 3.
3. Regulations, with respect to dieting non-commissioned officers and soldiers on their march, and recruiting parties and recruits. Same act. s. 5.
4. See *Mutiny*. Chap. 70.

Solicitors.

See *Attorneys*. Chap. 60.

Somers Island.

See *Bermuda*. Chap. 144.

Speaker

Speaker of the House of Commons.

68*l.* 16*s.* 3*d.* for fixtures at the house of the speaker of the house of commons. Chap. 144.

Spirits.

Additional duties of excise on spirits.

1. For every gallon of fermented wort or wash made in *England*, for extracting spirits for home consumption, from malt, corn, &c. and not actually distilled into spirits before Dec. 9, 1796
2. For every gallon of cyder or perry from *British* materials
3. For every gallon of fermented wort or wash from molasses or sugar
4. For every gallon of wash, from foreign refused wine, or foreign cyder, or wash prepared from foreign materials
5. For every 96 gallons of wash, which sir *William Bishop* and company shall produce from one hundred and twelve pounds weight of malt
6. For every gallon, *English* wine measure, of spirits, not exceeding one to ten, over hydrometer proof, made in *Scotland*, and imported into *England* after Dec. 9, 1796
7. For every gallon, *English* wine measure, of such spirits imported from *Scotland* into *England*, or found in any ship or vessel, &c. or upon any quay, wharf, &c. not charged with any duty by this act, to be

s. d.

		paid by the importer or proprietor, on demand
8.		For such spirits of a greater strength, than one to ten over hydrometer proof, and not exceeding three per cent. above one to ten over hydrometer proof, an additional duty in proportion to the surplus strength.
9.		For such spirits found in any ship or vessel, &c. or upon any quay wharf, &c. an additional duty in proportion to the surplus strength, to be paid by the importer or proprietor.
10.		For every gallon of single brandy imported into <i>Great Britain</i> , after Dec. 9, 1796
11.		For every gallon of brandy above proof
12.		For every gallon of rum, spirits, or <i>aqua vita</i> , of the produce of the <i>British</i> colonies or plantations
13.		For every gallon of rum, spirits, or <i>aqua vita</i> , above proof
14.		For every gallon of rum or spirits, of the produce of the <i>British</i> plantations, or warehoused and delivered for home consumption
15.		For every gallon of rum or spirits, of the produce of the <i>British</i> plantations, above proof
16.		For every gallon of single spirits, or <i>aqua vita</i> (other than such brandy, rum, or spirits as aforesaid,) imported into <i>Great Britain</i> after Dec. 9, 1796
17.		For every gallon of spirits, or <i>aqua vita</i> (other than such brandy, rum, or spirits, as aforesaid) above proof
		Chap. 14.

s. d.

o 5*t*

Stage

Stage Coaches.

From Jan. 5, 1797, an additional duty of one penny a mile on stage coaches. Chap. 16.

Stamps.

1. For more effectually securing the stamp duties on indentures, leases, bonds and other deeds. Chap. 19.
2. From July 5, 1797, the following additional stamp duties.

	£. s. d.
Admission into a corporation or company	0 4 0
— into inns of chancery	4 0 0
— into inns of court	8 2 0
— of fellow of the college of physicians or of attorney, &c.	8 0 0
Agreements	0 3 0
Awards	0 5 0
Beneficial warrants under sign manual of his Majesty	0 12 6
Bills of exchange, &c. payable on demand of 40s. and under 5l. 5s.	0 0 1
Above 5l. 5s. and under 30l.	0 0 2
Above 30l. and under 50l.	0 0 3
Above 50l. and under 100l.	0 0 4
Above 100l. and under 200l.	0 0 6
Bills of exchange, &c. payable otherwise than on demand, of 40s. and under 30l.	0 0 2
Above 30l. and under 50l.	0 0 3
Above 50l. and under 100l.	0 0 4
Above 100l. and under 200l.	0 0 6
Bills of exchange above 200l.	0 0 3

	£. s. d.
Bills of lading	0 1 0
Bonds not exceeding 100l.	0 3 0
— above 100l. and under 500l.	0 10 0
— of 500l.	0 15 0
— of 1,000l.	0 10 0
— of 2,000l.	1 0 0
— of 5,000l. or upwards	2 0 0
Other bonds	0 3 0
Certificates or debentures, for drawbacks	0 2 0
Collation or presentation to benefices	6 0 0
Deeds enrolled of record	0 10 0
Copies of wills	0 0 3
Attested copies of deeds	0 6 8
Dispensations	10 0 0
Exemplifications	1 0 0
Grants, or letters patent, or exemplifications thereof	8 0 0
Grants passing the great or privy seal, seal of the exchequer, &c. and grants of office	6 0 0
Indentures, deeds, &c.	0 3 0
Institutions or licences	0 15 0
Inventories of furniture, goods, &c.	0 2 6
Letters of mart	0 15 0
Matriculations	0 4 0
Pardons	6 0 0
Passports	0 1 0
Probates of wills or letters of administration above 300l.	2 10 0
— above 600l.	1 10 0
— above 1,000l.	2 0 0
— above 2,000l.	4 0 0
— above 5,000l.	5 0 0
— above 10,000l.	5 0 0
Promissory notes to bearer on demand re-issuable, where first issued, of 4cs. and under 5l. 5s.	0 0 1
— above 5l. 5s. and under 30l.	0 0 2
— above 30l. and under 50l.	0 0 3
Promissory	

Promissory notes above 50 <i>l.</i> and under 100 <i>l.</i>	£. s. d.	5afines and surrenders of £. s. d. burgage tenure, &c. in
— above 100 <i>l.</i> and under 200 <i>l.</i>	0 0 4	Scotland 0 4 9
Promissory notes to bearer on demand, re-issuable at any place, of 40 <i>s.</i> and under 5 <i>l.</i> 5 <i>s.</i>	0 0 6	Almanacks 0 0 4
— above 5 <i>l.</i> 5 <i>s.</i> and under 30 <i>l.</i>	0 0 2	Foreign bills of exchange under 100 <i>l.</i> 0 0 2
Promissory notes to bearer, payable otherwise than on demand, of 40 <i>s.</i> and under 30 <i>l.</i>	0 0 4	— Above 100 <i>l.</i> and under 200 <i>l.</i> 0 0 3
— above 30 <i>l.</i> and under 50 <i>l.</i>	0 0 2	— Above 200 <i>l.</i> 0 0 4
— above 50 <i>l.</i> and under 100 <i>l.</i>	0 0 3	Chap. 90.
— above 100 <i>l.</i> and under 200 <i>l.</i>	0 0 4	3. After August 1, 1797, an additional stamp duty of 10 <i>s.</i> on every deed. Chap. 111.
Promissory notes exceeding 200 <i>l.</i>	0 0 6	4. To enable the commissioners of stamp duties to stamp deeds and other instruments, bills of exchange, promissory and other notes, in certain cases. Chap. 136.
Protest	0 0 8	Stills.
Recognizances	0 2 0	1. An additional duty of excise on stills, per gallon
Registers, &c. of degrees in the universities	0 10 0	Stills used for making spirits from British materials in Scotland, to annually 36 <i>l.</i>
— in inns of court	2 0 0	Stills where molasses or sugar are used 60 <i>l.</i>
Surrenders and admittance to copyhold	14 0 0	Where other foreign materials are used 72 <i>l.</i>
Copies of surrender or admittance to estates not copyhold	0 3 0	Rectifying stills to pay annually 36 <i>l.</i>
Transfers of stock (except bank of England, and South Sea company)	0 3 0	Stills used in England, for making spirits from British materials for exportation to Scotland 36 <i>l.</i>
Wrists of covenant or entry	0 10 0	Where molasses or sugar are used 60 <i>l.</i>
Appeal from courts of admiralty, &c.	0 15 0	Where other foreign materials are used 72 <i>l.</i>
Answer in courts of admiralty, &c.	6 0	Rectifying stills for exportation to Scotland 36 <i>l.</i> Chap. 17.
Libel, &c. in the same	0 3 0	2. Distillers in Scotland may deliver up their licences before Jan. 20, 1797, and receive a proportional part of the duty paid. Same act, s. 5.
Personal decree, &c. in the same, or copy thereof	0 2 6	3. Where entry has been made of more stills than one, some may cease, and others continue to be worked. Same act, s. 6.
Sentence given in the same	0 5 0	Stocks.
— exhibited in the same	0 10 0	
Surrenders, charters, &c. retours of service, &c.	0 2 0	

Stocks.

From Aug. 1, 1797, persons forging the names of witnesses to letters of attorney, for the transfer or receipt of dividends of stocks at the bank, *South Sea* or *East India* company's stocks, to be guilty of felony, and may be transported for seven years. Chap. 122.

Sugar.

See *Drawbacks*. Chap. 15.

T.*Tax Office.*

SEE *Land Tax*. Chap. 128.

Tea.

1. Additional duties of excise on tea. For tea sold at the *East India* company's sales for 2s. 6d. per pound, or upwards, after Dec. 7, 1796, 10*l.* per cent. to be paid by purchasers to the company, and by them to the excise.
2. See *Drawbacks*. Chap. 14.

Tower Hamlets.

See *Militia*. Chap. 25.

Transport Bills.

1. Transport bills, after passing this act, to be made payable not later than three months after date. Chap. 26.
2. See *Annuities*. Chap. 9. 20.

Treasury.

1,650,000*l.* to pay bills on the treasury. Chap. 144.

Vol. XLI.

Trent and Mersey Canal.

See *Canals, Navigable*. Chap. 21.

Trinidad, Island of.

For making the port of *San Joseph* in the island of *Trinidad* a free port. Chap. 77.

Turkey Company.

1. Persons free of the *Turkey* company may import goods which have been heretofore imported from *Turkey*, *Egypt*, &c. in ships built in or belonging to *Great Britain* or *Ireland*, or to any state in amity with his Majesty. Chap. 84.
2. No entry to pass at the custom house until a certificate be produced that the importer is free of the *Turkey* company. Same act, s. 2.
3. Goods heretofore imported from any port of *Europe*, within the straits of *Gibraltar*, except such as might be imported only from the dominions of the grand seignior, may be imported from any place not being within those dominions, &c. Same act. s. 3.

Tweed River.

See *Fisheries*. Chap. 48.

U.*United States of America.*

TO continue the laws now in force for regulating the trade between this kingdom and the inhabitants of the united states of *America*. Chap. 37.

M m

Veterinary College.

1,500*l.* for the *Veterinary College.*
Chap. 144.

Victualling Bills.

1. Victualling bills, after passing this act, to be made payable not later than three months after date.
Chap. 26.
2. See *Annuities.* Chap. 9. 20.

Vincent's (Saint) Island of.

See *Grenada, Island of.* Chap. 27.

W.

Watches.

SEE *Clocks and Watches.* Chap. 108.

Waterbeach, Cambridgeshire.

See *Draining.* Chap. 88.

Weights and Balances.

To explain and amend act 35 Geo. 3. c. 102. respecting the use of defective weights and false balances.
Chap. 143.

West India Islands.

To indemnify governors, lieutenant-governors, &c. in the *West*

India islands who have permitted the importation and exportation of goods in foreign bottoms. Chap. 64.

West Indies.

1. From July 1, 1797, seamen deserting from merchant ships, to or from the *West Indies*, to forfeit their wages, and masters hiring seamen who have deserted from any other ship, to forfeit 100*l.* Chap. 73.
2. No master sailing from *Great Britain*, after July 1, 1797, to hire seamen in the *West Indies* at more than double wages, unless authorised by the governor, &c. Same act, s. 3.
3. Every ship trading to the *West Indies*, to have an apprentice under seventeen years old for every one hundred tons burthen. Same act, s. 4.

Westminster Hall.

See *Land Tax.* Chap. 128.

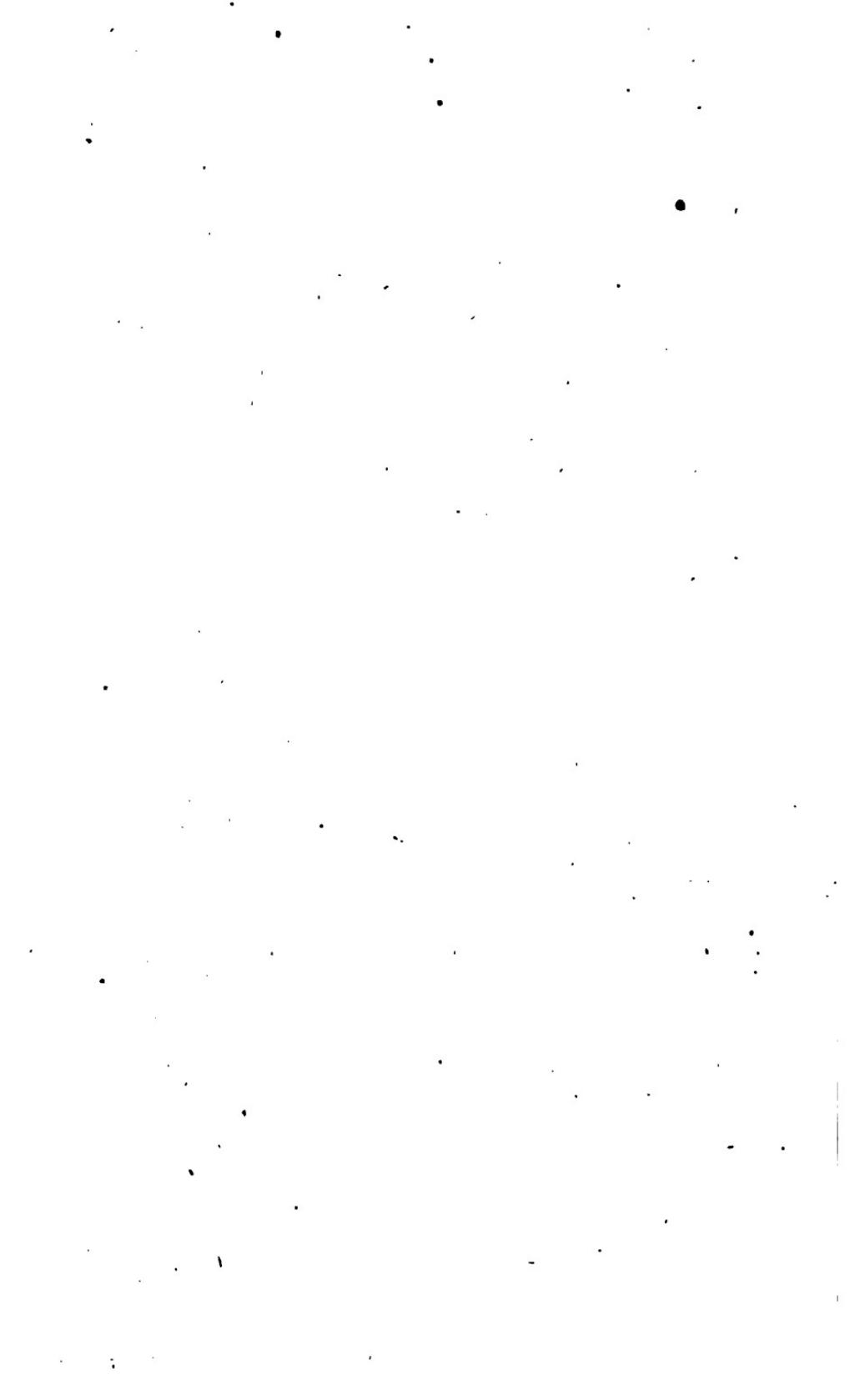
Weymouth, Dorsetshire.

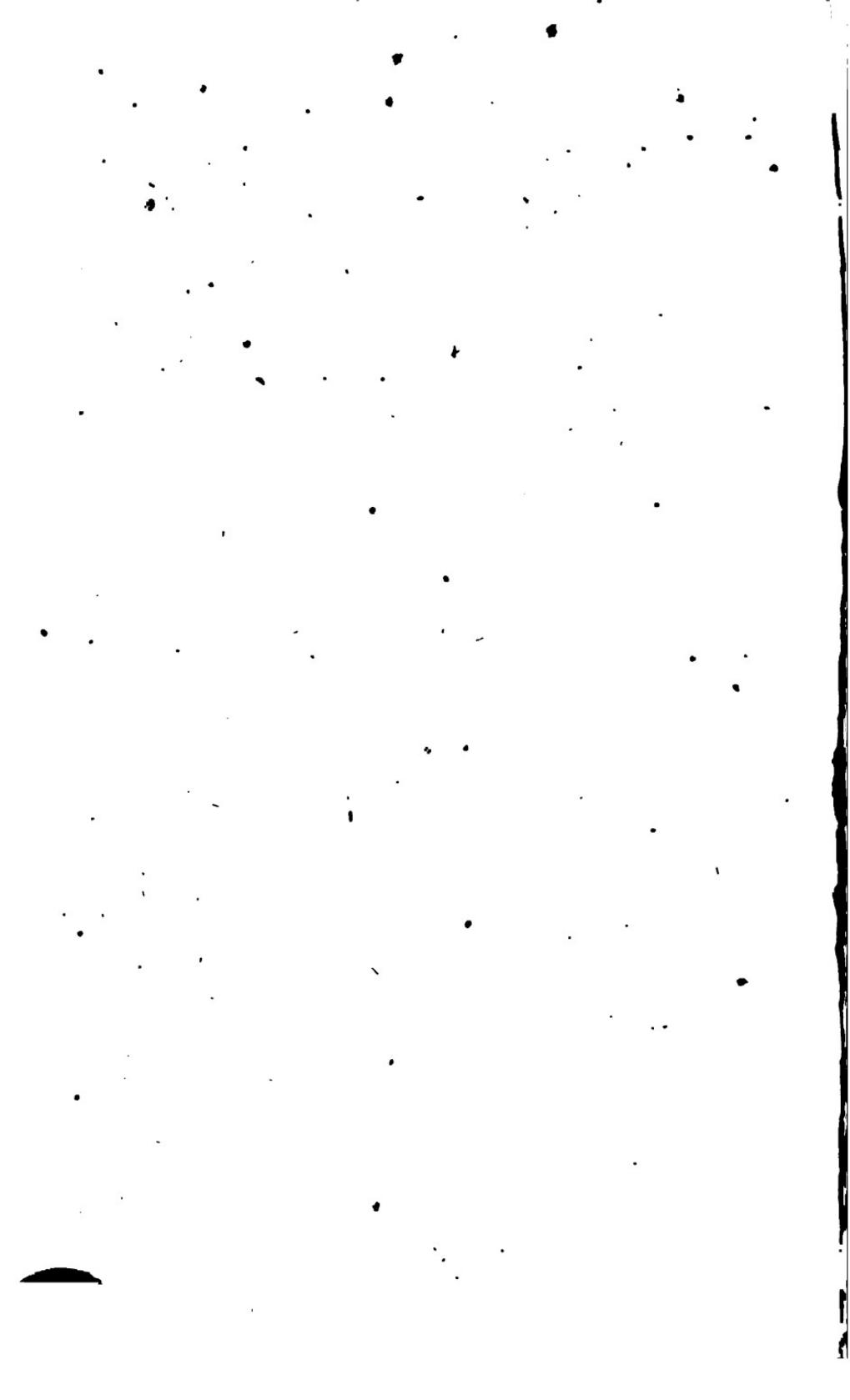
For supplying *Weymouth* and *Melcombe Regis* in *Dorsetshire* with water. Chap. 129.

Y.

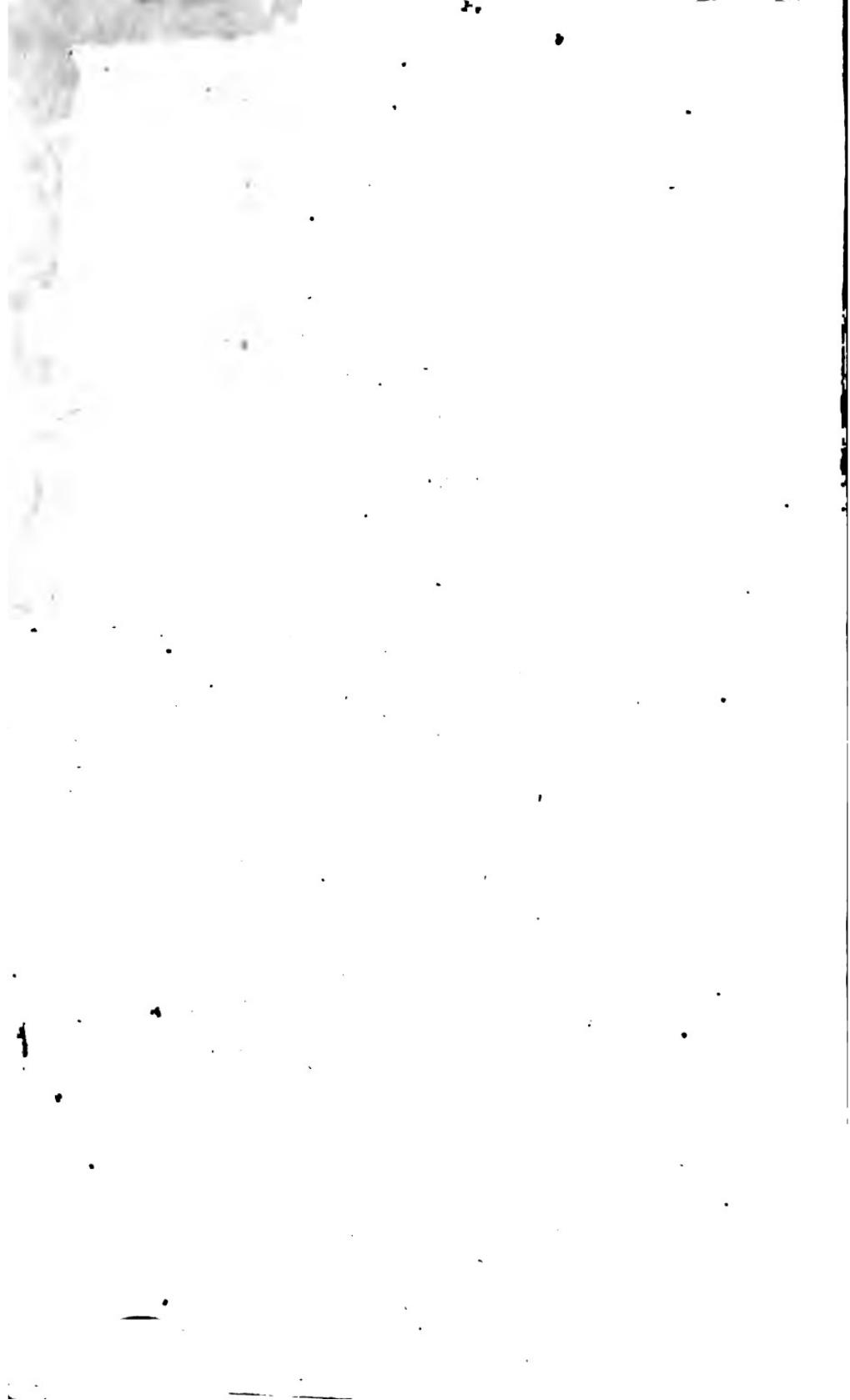
Yeldham, John

FOR discharging the estates of *John Yeldham esq;* from certain demands of the crown. Chap. 47.









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